

*in Quest of  
Peace and Security*

SELECTED DOCUMENTS ON  
AMERICAN FOREIGN POLICY

*1941-1951*

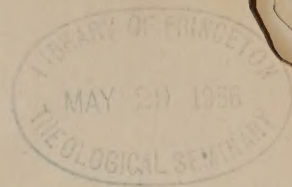
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AMERICAN FOREIGN POLICY

*1941-1951*

DEPARTMENT OF STATE PUBLICATION 4245

GENERAL FOREIGN POLICY SERIES 53

*Released October 1951*

DIVISION OF PUBLICATIONS

OFFICE OF PUBLIC AFFAIRS

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*For sale by the Superintendent of Documents  
U.S. Government Printing Office*

PRICE 55 CENTS



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# part I

## Wartime Documents, 1941-1945

### *The Four Freedoms*

#### ANNUAL MESSAGE OF THE PRESIDENT TO THE CONGRESS, JANUARY 6, 1941 (Excerpt)

In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms.

The first is freedom of speech and expression—everywhere in the world.

The second is freedom of every person to worship God in his way—everywhere in the world.

The third is freedom from want—which, translated into world terms, means eco-

nomic understandings which will secure to every nation a healthy peacetime life for its inhabitants—everywhere in the world.

The fourth is freedom from fear—which, translated into world terms, means a worldwide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor—anywhere in the world.

### *The Atlantic Charter, August 14, 1941*

DECLARATION OF PRINCIPLES, KNOWN AS  
THE ATLANTIC CHARTER, BY THE PRESIDENT  
OF THE UNITED STATES OF AMERICA  
AND THE PRIME MINISTER OF THE  
UNITED KINGDOM, AUGUST 14, 1941

Joint declaration of the President of the  
United States of America and the Prime

Minister, Mr. Churchill, representing His  
Majesty's Government in the United King-  
dom, being met together, deem it right to  
make known certain common principles in  
the national policies of their respective  
countries on which they base their hopes for  
a better future for the world.

First, their countries seek no aggrandizement, territorial or other;

Second, they desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned;

Third, they respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them;

Fourth, they will endeavor, with due respect for their existing obligations, to further the enjoyment by all States, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity;

Fifth, they desire to bring about the fullest collaboration between all nations in the economic field with the object of securing, for all, improved labor standards, economic advancement and social security;

Sixth, after the final destruction of the Nazi tyranny, they hope to see established

a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all the men in all the lands may live out their lives in freedom from fear and want;

Seventh, such a peace should enable all men to traverse the high seas and oceans without hindrance;

Eighth, they believe that all of the nations of the world, for realistic as well as spiritual reasons must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea or air armaments continue to be employed by nations which threaten, or may threaten, aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential. They will likewise aid and encourage all other practicable measures which will lighten for peace-loving peoples the crushing burden of armaments.



# Declaration by United Nations

## January 1, 1942

A JOINT DECLARATION BY THE UNITED STATES OF AMERICA, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE UNION OF SOVIET SOCIALIST REPUBLICS, CHINA, AUSTRALIA, BELGIUM, CANADA, COSTA RICA, CUBA, CZECHOSLOVAKIA, DOMINICAN REPUBLIC, EL SALVADOR, GREECE, GUATEMALA, HAITI, HONDURAS, INDIA, LUXEMBOURG, NETHERLANDS, NEW ZEALAND, NICARAGUA, NORWAY, PANAMA, POLAND, SOUTH AFRICA, YUGOSLAVIA

The Governments signatory hereto,

Having subscribed to a common program of purposes and principles embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland dated August 14, 1941, known as the Atlantic Charter.

Being convinced that complete victory over their enemies is essential to defend life, liberty, independence and religious freedom, and to preserve human rights and justice in their own lands as well as in other lands, and that they are now engaged in a common struggle against savage and brutal forces seeking to subjugate the world, *declare:*

(1) Each Government pledges itself to employ its full resources, military or economic, against those members of the Tripartite Pact and its adherents with which such government is at war.

(2) Each Government pledges itself to

cooperate with the Governments signatory hereto and not to make a separate armistice or peace with the enemies.

The foregoing declaration may be adhered to by other nations which are, or which may be, rendering material assistance and contributions in the struggle for victory over Hitlerism.

Done at Washington

*January First, 1942*

[The signatories to the Declaration by United Nations are as listed above.

The adherents to the Declaration by United Nations, together with the date of communication of adherence, are as follows:

|                        |                |
|------------------------|----------------|
| Mexico . . . . .       | June 5, 1942   |
| Philippines . . . . .  | June 10, 1942  |
| Ethiopia . . . . .     | July 28, 1942  |
| Iraq . . . . .         | Jan. 16, 1943  |
| Brazil . . . . .       | Feb. 8, 1943   |
| Bolivia . . . . .      | Apr. 27, 1943  |
| Iran . . . . .         | Sept. 10, 1943 |
| Colombia . . . . .     | Dec. 22, 1943  |
| Liberia . . . . .      | Feb. 26, 1944  |
| France . . . . .       | Dec. 26, 1944  |
| Ecuador . . . . .      | Feb. 7, 1945   |
| Peru . . . . .         | Feb. 11, 1945  |
| Chile . . . . .        | Feb. 12, 1945  |
| Paraguay . . . . .     | Feb. 12, 1945  |
| Venezuela . . . . .    | Feb. 16, 1945  |
| Uruguay . . . . .      | Feb. 23, 1945  |
| Turkey . . . . .       | Feb. 24, 1945  |
| Egypt . . . . .        | Feb. 27, 1945  |
| Saudi Arabia . . . . . | Mar. 1, 1945   |
| Lebanon . . . . .      | Mar. 1, 1945   |
| Syria . . . . .        | Mar. 1, 1945]  |

# *The Casablanca Conference, January 14-24, 1943: Communiqué, January 26, 1943*

On January 26, 1943, at 10 p.m., E.W.T., the following communiqué, cabled from Casablanca, Morocco, was made public:

The President of the United States and the Prime Minister of Great Britain have been in conference near Casablanca since January 14.

They were accompanied by the combined Chiefs of Staff of the two countries; namely—

#### FOR THE UNITED STATES:

Gen. George C. Marshall, Chief of Staff of the United States Army; Admiral Ernest J. King, Commander in Chief of the United States Navy; Lt. Gen. H. H. Arnold, commanding the United States Army Air Forces; and

#### FOR GREAT BRITAIN:

Admiral of the Fleet Sir Dudley Pound, First Sea Lord; Gen. Sir Alan Brooke, Chief of the Imperial General Staff; and Air Chief Marshal Sir Charles Portal, Chief of the Air Staff.

These were assisted by:

Lt. Gen. B. B. Somervell, Commanding General of the Services of Supply, United States Army; Field Marshal Sir John Dill, head of the British Joint Staff Mission in Washington; Vice Admiral Lord Louis Mountbatten, Chief of Combined Operations; Lt. Gen. Sir Hastings Ismay, Chief of Staff to the Office of the Minister of De-

fense, together with a number of staff officers of both countries.

They have received visits from Mr. Murphy (Robert Murphy, United States Minister to French North Africa) and Mr. MacMillan (Harold MacMillan, British Resident Minister for Allied Headquarters in North Africa); from Lt. Gen. Dwight D. Eisenhower, Commander in Chief of the Allied Expeditionary Force in North Africa; from Admiral of the Fleet Sir Andrew Cunningham, naval commander of the Allied Expeditionary Force in North Africa; from Maj. Gen. Carl Spaatz, air commander of the Allied Expeditionary Force in North Africa; from Lt. Gen. Mark W. Clark, United States Army (Commander of the United States Fifth Army in Tunisia), and, from Middle East Headquarters, from Gen. Sir Harold Alexander, Air Chief Marshal Sir Arthur Tedder and Lt. Gen. F. M. Andrews, United States Army.

The President was accompanied by Harry Hopkins (Chairman of the British-American Munitions Assignments Board) and was joined by W. Averell Harriman (United States Defense Expediter in England).

With the Prime Minister was Lord Leathers, British Minister of War Transport.

For 10 days the combined staffs have been in constant session, meeting 2 or 3 times a day and recording progress at intervals to the President and the Prime Minister.



The entire field of the war was surveyed theater by theater throughout the world, and all resources were marshaled for a more intense prosecution of the war by sea, land, and air.

Nothing like this prolonged discussion between two allies has ever taken place before. Complete agreement was reached between the leaders of the two countries and their respective staffs upon war plans and enterprises to be undertaken during the campaigns of 1943 against Germany, Italy, and Japan with a view to drawing the utmost advantage from the markedly favorable turn of events at the close of 1942.

Premier Stalin was cordially invited to meet the President and the Prime Minister, in which case the meeting would have been held very much farther to the east. He was unable to leave Russia at this time on account of the great offensive which he himself, as Commander in Chief, is directing.

The President and the Prime Minister realized up to the full the enormous weight of the war which Russia is successfully bearing along her whole land front, and their prime object has been to draw as much

weight as possible off the Russian armies by engaging the enemy as heavily as possible at the best selected points.

Premier Stalin has been fully informed of the military proposals.

The President and the Prime Minister have been in communication with Generalissimo Chiang Kai-shek. They have appraised him of the measures which they are undertaking to assist him in China's magnificent and unrelaxing struggle for the common cause.

The occasion of the meeting between the President and the Prime Minister made it opportune to invite General Giraud (General Henri Honoré Giraud, High Commissioner of French Africa) to confer with the Combined Chiefs of Staff and to arrange for a meeting between him and General de Gaulle (General Charles de Gaulle, Fighting French Commander). The two generals have been in close consultation.

The President and the Prime Minister and their combined staffs, having completed their plans for the offensive campaigns of 1943, have now separated in order to put them into active and concerted execution.

## *Proposals for International Organization for the Maintenance of Peace*

### FULBRIGHT RESOLUTION, SEPTEMBER 21, 1943<sup>1</sup>

*Resolved by the House of Representatives (the Senate concurring),* That the Congress hereby expresses itself as favoring the creation of appropriate international machinery with power adequate to establish and to

maintain a just and lasting peace, among the nations of the world, and as favoring participation by the United States therein through its constitutional processes.

<sup>1</sup> H. Con. Res. 25 (78th Cong.).

## CONNALLY RESOLUTION, NOVEMBER 5, 1943<sup>1</sup>

*Resolved*, That the war against all our enemies be waged until complete victory is achieved.

That the United States cooperate with its comrades-in-arms in securing a just and honorable peace.

That the United States, acting through its constitutional processes, join with free and sovereign nations in the establishment and maintenance of international authority with power to prevent aggression and to preserve the peace of the world.

That the Senate recognizes the necessity of there being established at the earliest practicable date a general international

organization, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for the maintenance of international peace and security.

That, pursuant to the Constitution of the United States, any treaty made to effect the purposes of this resolution, on behalf of the Government of the United States with any other nation or any association of nations, shall be made only by and with the advice and consent of the Senate of the United States, provided two-thirds of the Senators present concur.

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<sup>1</sup> S. Res. 192 (78th Cong.).

## *The Moscow Conference, October 13-30, 1943*

### DECLARATION ON AUSTRIA, NOVEMBER 1, 1943

The Governments of the United Kingdom, the Soviet Union and the United States of America are agreed that Austria, the first free country to fall a victim to Hitlerite aggression, shall be liberated from German domination.

They regard the annexation imposed upon Austria by Germany on March 15th, 1938, as null and void. They consider themselves as in no way bound by any changes effected in Austria since that date. They declare that they wish to see reestablished a free and independent Austria, and

thereby to open the way for the Austrian people themselves, as well as those neighboring states which will be faced with similar problems, to find that political and economic security which is the only basis for lasting peace.

Austria is reminded, however, that she has a responsibility which she cannot evade for participation in the war on the side of Hitlerite Germany, and that in the final settlement account will inevitably be taken of her own contribution to her liberation.



# DECLARATION ON GERMAN ATROCITIES, NOVEMBER 1, 1943

The United Kingdom, the United States and the Soviet Union have received from many quarters evidence of atrocities, massacres and cold-blooded mass executions which are being perpetrated by the Hitlerite forces in the many countries they have overrun and from which they are now being steadily expelled. The brutalities of Hitlerite domination are no new thing and all the peoples or territories in their grip have suffered from the worst form of government by terror. What is new is that many of these territories are now being redeemed by the advancing armies of the liberating Powers and that in their desperation, the recoiling Hitlerite Huns are redoubling their ruthless cruelties. This is now evidenced with particular clearness by monstrous crimes of the Hitlerites on the territory of the Soviet Union which is being liberated from the Hitlerites, and on French and Italian territory.

Accordingly, the aforesaid three allied Powers, speaking in the interests of the thirty-two [thirty-three] United Nations, hereby solemnly declare and give full warning of their declaration as follows:

At the time of the granting of any armistice to any government which may be set up in Germany, those German officers and men and members of the Nazi party who have been responsible for, or have taken a consenting part in the above atrocities, massacres and executions, will be sent back to the countries in which their abominable deeds were done in order that they may be

judged and punished according to the laws of these liberated countries and of the free governments which will be created therein. Lists will be compiled in all possible detail from all these countries having regard especially to the invaded parts of the Soviet Union, to Poland and Czechoslovakia, to Yugoslavia and Greece, including Crete and other islands, to Norway, Denmark, the Netherlands, Belgium, Luxemburg, France and Italy.

Thus, the Germans who take part in wholesale shootings of Italian officers or in the execution of French, Dutch, Belgian or Norwegian hostages or of Cretan peasants, or who have shared in the slaughters inflicted on the people of Poland or in territories of the Soviet Union which are now being swept clear of the enemy, will know that they will be brought back to the scene of their crimes and judged on the spot by the peoples whom they have outraged. Let those who have hitherto not imbrued their hands with innocent blood beware lest they join the ranks of the guilty, for most assuredly the three allied Powers will pursue them to the uttermost ends of the earth and will deliver them to their accusers in order that justice may be done.

The above declaration is without prejudice to the case of the major criminals, whose offences have no particular geographical localisation and who will be punished by the joint decision of the Governments of the Allies.

## DECLARATION REGARDING ITALY, NOVEMBER 1, 1943

The Foreign Secretaries of the United States of America, the United Kingdom and the Soviet Union have established that their three Governments are in complete agreement that Allied policy towards Italy must be based upon the fundamental principle that Fascism and all its evil influences and emanations shall be utterly destroyed and that the Italian people shall be given every opportunity to establish governmental and other institutions based upon democratic principles.

The Foreign Secretaries of the United States of America and the United Kingdom declare that the action of their Governments from the inception of the invasion of the Italian territory, in so far as paramount military requirements have permitted, has been based upon this policy.

In the furtherance of this policy in the future the Foreign Secretaries of the three Governments are agreed that the following measures are important and should be put into effect:

1. It is essential that the Italian Government should be made more democratic by the introduction of representatives of those sections of the Italian people who have always opposed Fascism.

2. Freedom of speech, of religious worship, of political belief, of the press and of public meeting shall be restored in full meas-

ure to the Italian people, who shall also be entitled to form anti-Fascist political groups.

3. All institutions and organisations created by the Fascist regime shall be suppressed.

4. All Fascist or pro-Fascist elements shall be removed from the administration and from the institutions and organizations of a public character.

5. All political prisoners of the Fascist regime shall be released and accorded a full amnesty.

6. Democratic organs of local government shall be created.

7. Fascist chiefs and other persons known or suspected to be war criminals shall be arrested and handed over to justice.

In making this declaration the three Foreign Secretaries recognize that so long as active military operations continue in Italy the time at which it is possible to give full effect to the principles set out above will be determined by the Commander-in-Chief on the basis of instructions received through the Combined Chiefs of Staff. The three Governments parties to this declaration will at the request of any one of them consult on this matter.

It is further understood that nothing in this resolution is to operate against the right of the Italian people ultimately to choose their own form of government.



# FOUR-NATION DECLARATION ON GENERAL SECURITY (UNITED STATES, UNITED KING- DOM, SOVIET UNION, AND CHINA), OCTO- BER 30, 1943

The Governments of the United States of America, the United Kingdom, the Soviet Union and China:

united in their determination, in accordance with the Declaration by the United Nations of January 1, 1942, and subsequent declarations, to continue hostilities against those Axis powers with which they respectively are at war until such powers have laid down their arms on the basis of unconditional surrender;

conscious of their responsibility to secure the liberation of themselves and the peoples allied with them from the menace of aggression;

recognizing the necessity of ensuring a rapid and orderly transition from war to peace and of establishing and maintaining international peace and security with the least diversion of the world's human and economic resources for armaments;

jointly declare:

1. That their united action, pledged for the prosecution of the war against their respective enemies, will be continued for the organization and maintenance of peace and security.

2. That those of them at war with a common enemy will act together in all matters relating to the surrender and disarmament of that enemy.

3. That they will take all measures deemed by them to be necessary to provide against any violation of the terms imposed upon the enemy.

4. That they recognise the necessity of establishing at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for the maintenance of international peace and security.

5. That for the purpose of maintaining international peace and security pending the re-establishment of law and order and the inauguration of a system of general security, they will consult with one another and as occasion requires with other members of the United Nations with a view to joint action on behalf of the community of nations.

6. That after the termination of hostilities they will not employ their military forces within the territories of other states except for the purposes envisaged in this declaration and after joint consultation.

7. That they will confer and co-operate with one another and with other members of the United Nations to bring about a practicable general agreement with respect to the regulation of armaments in the post-war period.

## *The Cairo Conference, November 22-26, 1943: Statement, December 1, 1943*

The several military missions have agreed upon future military operations against Japan. The Three Great Allies expressed their resolve to bring unrelenting pressure against their brutal enemies by sea, land, and air. This pressure is already rising.

The Three Great Allies are fighting this war to restrain and punish the aggression of Japan. They covet no gain for themselves and have no thought of territorial expansion. It is their purpose that Japan shall be stripped of all the islands in the Pacific which she has seized or occupied since the beginning of the first World War in 1914, and that all the territories Japan has stolen

from the Chinese, such as Manchuria, Formosa, and the Pescadores, shall be restored to the Republic of China. Japan will also be expelled from all other territories which she has taken by violence and greed. The aforesaid three great powers, mindful of the enslavement of the people of Korea, are determined that in due course Korea shall become free and independent.

With these objects in view the three Allies, in harmony with those of the United Nations at war with Japan, will continue to persevere in the serious and prolonged operations necessary to procure the unconditional surrender of Japan.

## *The Tehran Conference, November 28- December 1, 1943*

### DECLARATION ON COOPERATION IN WAR AND PEACE, DECEMBER 1, 1943

We—the President of the United States, the Prime Minister of Great Britain, and the Premier of the Soviet Union, have met these four days past, in this, the Capital of our Ally, Iran, and have shaped and confirmed our common policy.

We express our determination that our nations shall work together in war and in the peace that will follow.

As to war—our military staffs have joined

in our round table discussions, and we have concerted our plans for the destruction of the German forces. We have reached complete agreement as to the scope and timing of the operations to be undertaken from the east, west and south.

The common understanding which we have here reached guarantees that victory will be ours.

And as to peace—we are sure that our



concord will win an enduring Peace. We recognize fully the supreme responsibility resting upon us and all the United Nations to make a peace which will command the goodwill of the overwhelming mass of the peoples of the world and banish the scourge and terror of war for many generations.

With our Diplomatic advisors we have surveyed the problems of the future. We shall seek the cooperation and active participation of all nations, large and small, whose peoples in heart and mind are dedicated, as are our own peoples, to the elimination of tyranny and slavery, oppression and intolerance. We will welcome them, as they may

choose to come, into a world family of Democratic Nations.

No power on earth can prevent our destroying the German armies by land, their U Boats by sea, and their war plants from the air.

Our attack will be relentless and increasing.

Emerging from these cordial conferences we look with confidence to the day when all peoples of the world may live free lives, untouched by tyranny, and according to their varying desires and their own consciences.

We came here with hope and determination. We leave here, friends in fact, in spirit and in purpose.

## DECLARATION REGARDING IRAN, DECEMBER 1, 1943

The President of the United States, the Premier of the U.S.S.R., and the Prime Minister of the United Kingdom, having consulted with each other and with the Prime Minister of Iran, desire to declare the mutual agreement of their three Governments regarding their relations with Iran.

The Governments of the United States, the U.S.S.R., and the United Kingdom recognize the assistance which Iran has given in the prosecution of the war against the common enemy, particularly by facilitating the transportation of supplies from overseas to the Soviet Union.

The Three Governments realize that the war has caused special economic difficulties for Iran, and they are agreed that they will continue to make available to the Government of Iran such economic assistance as

may be possible, having regard to the heavy demands made upon them by their worldwide military operations and to the worldwide shortage of transport, raw materials, and supplies for civilian consumption.

With respect to the post-war period, the Governments of the United States, the U.S.S.R., and the United Kingdom are in accord with the Government of Iran that any economic problems confronting Iran at the close of hostilities should receive full consideration, along with those of other members of the United Nations, by conferences or international agencies held or created to deal with international economic matters.

The Governments of the United States, the U.S.S.R., and the United Kingdom are at one with the Government of Iran in their desire for the maintenance of the independ-

ence, sovereignty and territorial integrity of Iran. They count upon the participation of Iran, together with all other peace-loving nations, in the establishment of inter-

national peace, security, and prosperity after the war, in accordance with the principles of the Atlantic Charter, to which all four Governments have subscribed.

## *The Crimea (Yalta) Conference, February 4-11, 1945*

### PROTOCOL OF PROCEEDINGS, FEBRUARY 11, 1945

The Crimea Conference of the Heads of the Governments of the United States of America, the United Kingdom, and the Union of Soviet Socialist Republics which took place from February 4th to 11th came to the following conclusions:

#### *I. World Organisation*

It was decided:

(1) that a United Nations Conference on the proposed world organisation should be summoned for Wednesday, 25th April, 1945, and should be held in the United States of America.

(2) the Nations to be invited to this Conference should be:

(a) the United Nations as they existed on the 8th February, 1945; and

(b) such of the Associated Nations as have declared war on the common enemy by 1st March, 1945. (For this purpose by the term "Associated Nation" was meant the eight Associated Nations and Turkey). When the Conference on World Organization is held, the delegates of the United Kingdom and United States of America will support a proposal to admit to original

membership two Soviet Socialist Republics, i. e. the Ukraine and White Russia.

(3) that the United States Government on behalf of the Three Powers should consult the Government of China and the French Provisional Government in regard to decisions taken at the present Conference concerning the proposed World Organisation.

(4) that the text of the invitation to be issued to all the nations which would take part in the United Nations Conference should be as follows:

#### *Invitation*

"The Government of the United States of America, on behalf of itself and of the Governments of the United Kingdom, the Union of Soviet Socialist Republics, and the Republic of China and the Provisional Government of the French Republic, invite the Government of \_\_\_\_\_ to send representatives to a Conference of the United Nations to be held on 25th April, 1945, or soon thereafter, at San Francisco in the United States of America to prepare a Charter for a General International Or-



ganisation for the maintenance of international peace and security.

“The above named governments suggest that the Conference consider as affording a basis for such a Charter the Proposals for the Establishment of a General International Organisation, which were made public last October as a result of the Dumbarton Oaks Conference, and which have now been supplemented by the following provisions for Section C of Chapter VI:

“ ‘C. VOTING

“ ‘1. Each member of the Security Council should have one vote.

“ ‘2. Decisions of the Security Council on procedural matters should be made by an affirmative vote of seven members.

“ ‘3. Decisions of the Security Council on all other matters should be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VIII, Section A and under the second sentence of paragraph 1 of Chapter VIII, Section C, a party to a dispute should abstain from voting.’

“Further information as to arrangements will be transmitted subsequently.

“In the event that the Government of \_\_\_\_\_ desires in advance of the Conference to present views or comments concerning the proposals, the Government of the United States of America will be pleased to transmit such views and comments to the other participating Governments.”

## Territorial Trusteeship

It was agreed that the five Nations which will have permanent seats on the Security

Council should consult each other prior to the United Nations Conference on the question of territorial trusteeship.

The acceptance of this recommendation is subject to its being made clear that territorial trusteeship will only apply to (a) existing mandates of the League of Nations; (b) territories detached from the enemy as a result of the present war; (c) any other territory which might voluntarily be placed under trusteeship; and (d) no discussion of actual territories is contemplated at the forthcoming United Nations Conference or in the preliminary consultations, and it will be a matter for subsequent agreement which territories within the above categories will be placed under trusteeship.

## II. *Declaration on Liberated Europe*

The following declaration has been approved:

“The Premier of the Union of Soviet Socialist Republics, the Prime Minister of the United Kingdom and the President of the United States of America have consulted with each other in the common interests of the peoples of their countries and those of liberated Europe. They jointly declare their mutual agreement to concert during the temporary period of instability in liberated Europe the policies of their three governments in assisting the peoples of the former Axis satellite states of Europe to solve by democratic means their pressing political and economic problems.

“The establishment of order in Europe and the re-building of national economic life must be achieved by processes which will enable the liberated peoples to destroy the last vestiges of Nazism and Fascism and to create democratic institutions of their own choice. This is a principle of the Atlantic

Charter—the right of all peoples to choose the form of government under which they will live—the restoration of sovereign rights and self-government to those peoples who have been forcibly deprived of them by the aggressor nations.

“To foster the conditions in which the liberated peoples may exercise these rights, the three governments will jointly assist the people in any European liberated state or former Axis satellite state in Europe where in their judgment conditions require (a) to establish conditions of internal peace; (b) to carry out emergency measures for the relief of distressed peoples; (c) to form interim governmental authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of governments responsive to the will of the people; and (d) to facilitate where necessary the holding of such elections.

“The three governments will consult the other United Nations and provisional authorities or other governments in Europe when matters of direct interest to them are under consideration.

“When, in the opinion of the three governments, conditions in any European liberated state or any former Axis satellite state in Europe make such action necessary, they will immediately consult together on the measures necessary to discharge the joint responsibilities set forth in this declaration.

“By this declaration we reaffirm our faith in the principles of the Atlantic Charter, our pledge in the Declaration by the United Nations, and our determination to build in cooperation with other peace-loving nations world order under law, dedicated to peace,

security, freedom and general well-being of all mankind.

“In issuing this declaration, the Three Powers express the hope that the Provisional Government of the French Republic may be associated with them in the procedure suggested.”

### III. *Dismemberment of Germany*

It was agreed that Article 12 (a) of the Surrender Terms for Germany should be amended to read as follows:

“The United Kingdom, the United States of America and the Union of Soviet Socialist Republics shall possess supreme authority with respect to Germany. In the exercise of such authority they will take such steps, including the complete disarmament, demilitarisation and dismemberment of Germany as they deem requisite for future peace and security.”

The study of the procedure for the dismemberment of Germany was referred to a Committee, consisting of Mr. Eden (Chairman), Mr. Winant and Mr. Gousev. This body would consider the desirability of associating with it a French representative.

### IV. *Zone of Occupation for the French and Control Council for Germany*

It was agreed that a zone in Germany, to be occupied by the French Forces, should be allocated to France. This zone would be formed out of the British and American zones and its extent would be settled by the British and Americans in consultation with the French Provisional Government.

It was also agreed that the French Provisional Government should be invited to become a member of the Allied Control Council for Germany.



## V. *Reparation*

[Approved protocol printed following paragraph xiv.]

## VI. *Major War Criminals*

The Conference agreed that the question of the major war criminals should be the subject of enquiry by the three Foreign Secretaries for report in due course after the close of the Conference.

## VII. *Poland*

The following Declaration on Poland was agreed by the Conference:

“A new situation has been created in Poland as a result of her complete liberation by the Red Army. This calls for the establishment of a Polish Provisional Government which can be more broadly based than was possible before the recent liberation of Western part of Poland. The Provisional Government which is now functioning in Poland should therefore be reorganized on a broader democratic basis with the inclusion of democratic leaders from Poland itself and from Poles abroad. This new Government should then be called the Polish Provisional Government of National Unity.

“M. Molotov, Mr. Harriman and Sir A. Clark Kerr are authorised as a commission to consult in the first instance in Moscow with members of the present Provisional Government and with other Polish democratic leaders from within Poland and from abroad, with a view to the reorganisation of the present Government along the above lines. This Polish Provisional Government of National Unity shall be pledged to the holding of free and unfettered elections as soon as possible on the basis of universal

suffrage and secret ballot. In these elections all democratic and anti-Nazi parties shall have the right to take part and to put forward candidates.

“When a Polish Provisional Government of National Unity has been properly formed in conformity with the above, the Government of the U.S.S.R., which now maintains diplomatic relations with the present Provisional Government of Poland, and the Government of the United Kingdom and the Government of the United States of America will establish diplomatic relations with the new Polish Provisional Government of National Unity, and will exchange Ambassadors by whose reports the respective Governments will be kept informed about the situation in Poland.

“The three Heads of Government consider that the Eastern frontier of Poland should follow the Curzon Line with digressions from it in some regions of five to eight kilometres in favour of Poland. They recognise that Poland must receive substantial accessions of territory in the North and West. They feel that the opinion of the new Polish Provisional Government of National Unity should be sought in due course on the extent of these accessions and that the final delimitation of the Western frontier of Poland should thereafter await the Peace Conference.”

## VIII. *Yugoslavia*

It was agreed to recommend to Marshal Tito and to Dr. Subasic:

(a) that the Tito-Subasic Agreement should immediately be put into effect and a new Government formed on the basis of the Agreement

(b) that as soon as the new Government has been formed it should declare:

(i) that the Anti-Fascist Assembly of National Liberation (AUNOJ) will be extended to include members of the last Yugoslav Skupstina who have not compromised themselves by collaboration with the enemy, thus forming a body to be known as a temporary Parliament and

(ii) that legislative acts passed by the Anti-Fascist Assembly of National Liberation (AUNOJ) will be subject to subsequent ratification by a Constituent Assembly; and that this statement should be published in the Communique of the Conference.

#### IX. *Italo-Yugoslav Frontier* *Italo-Austria Frontier*

Notes on these subjects were put in by the British delegation and the American and Soviet delegations agreed to consider them and give their views later.

#### X. *Yugoslav-Bulgarian Relations*

There was an exchange of views between the Foreign Secretaries on the question of the desirability of a Yugoslav-Bulgarian pact of alliance. The question at issue was whether a state still under an armistice regime could be allowed to enter into a treaty with another state. Mr. Eden suggested that the Bulgarian and Yugoslav Governments should be informed that this could not be approved. Mr. Stettinius suggested that the British and American Ambassadors should discuss the matter further with M. Molotov in Moscow. M. Molotov agreed with the proposal of Mr. Stettinius.

#### XI. *Southeastern Europe*

The British Delegation put in notes for the consideration of their colleagues on the following subjects:

- (a) the Control Commission in Bulgaria
- (b) Greek claims upon Bulgaria, more particularly with reference to reparations
- (c) Oil equipment in Rumania.

#### XII. *Iran*

Mr. Eden, Mr. Stettinius and M. Molotov exchanged views on the situation in Iran. It was agreed that this matter should be pursued through the diplomatic channel.

#### XIII. *Meetings of the Three Foreign Secretaries*

The Conference agreed that permanent machinery should be set up for consultation between the three Foreign Secretaries; they should meet as often as necessary, probably about every three or four months.

These meetings will be held in rotation in the three capitals, the first meeting being held in London.

#### XIV. *The Montreux Convention and the Straits*

It was agreed that at the next meeting of the three Foreign Secretaries to be held in London, they should consider proposals which it was understood the Soviet Government would put forward in relation to the Montreux Convention and report to their Governments. The Turkish Government should be informed at the appropriate moment.

The foregoing Protocol was approved and signed by the three Foreign Secretaries at the Crimean Conference, February 11, 1945.

E. R. STETTINIUS, Jr.

M. MOLOTOV

ANTHONY EDEN



# PROTOCOL ON GERMAN REPARATION, FEBRUARY 11, 1945

The Heads of the three governments agreed as follows:

1. Germany must pay in kind for the losses caused by her to the Allied nations in the course of the war. Reparations are to be received in the first instance by those countries which have borne the main burden of the war, have suffered the heaviest losses and have organised victory over the enemy.

2. Reparation in kind are to be exacted from Germany in three following forms:

(a) Removals within 2 years from the surrender of Germany or the cessation of organised resistance from the national wealth of Germany located on the territory of Germany herself as well as outside her territory (equipment, machine-tools, ships, rolling stock, German investments abroad, shares of industrial, transport and other enterprises in Germany etc.), these removals to be carried out chiefly for purpose of destroying the war potential of Germany.

(b) Annual deliveries of goods from current production for a period to be fixed.

(c) Use of German labour.

3. For the working out on the above principles of a detailed plan for exaction of reparation from Germany an Allied Reparation Commission will be set up in Moscow. It will consist of three representatives—one from the Union of Soviet

Socialist Republics, one from the United Kingdom and one from the United States of America.

4. With regard to the fixing of the total sum of the reparation as well as the distribution of it among the countries which suffered from the German aggression the Soviet and American delegations agreed as follows:

“The Moscow Reparation Commission should take in its initial studies as a basis for discussion the suggestion of the Soviet Government that the total sum of the reparation in accordance with the points (a) and (b) of the paragraph 2 should be 20 billion dollars and that 50% of it should go to the Union of Soviet Socialist Republics.”

The British delegation was of the opinion that pending consideration of the reparation question by the Moscow Reparation Commission no figures of reparation should be mentioned.

The above Soviet-American proposal has been passed to the Moscow Reparation Commission as one of the proposals to be considered by the Commission.

WINSTON S. CHURCHILL  
FRANKLIN D. ROOSEVELT  
JOSEPH V. STALIN

*February 11, 1945.*

## AGREEMENT REGARDING JAPAN, FEBRUARY 11, 1945

The leaders of the three Great Powers—the Soviet Union, the United States of America and Great Britain—have agreed that in two or three months after Germany has surrendered and the war in Europe has terminated the Soviet Union shall enter into the war against Japan on the side of the Allies on condition that:

1. The status quo in Outer-Mongolia (The Mongolian People's Republic) shall be preserved;

2. The former rights of Russia violated by the treacherous attack of Japan in 1904 shall be restored, viz:

(a) the southern part of Sakhalin as well as all the islands adjacent to it shall be returned to the Soviet Union,

(b) the commercial port of Dairen shall be internationalized, the preeminent interests of the Soviet Union in this port being safeguarded and the lease of Port Arthur as a naval base of the U.S.S.R. restored,

(c) the Chinese-Eastern Railroad and the South-Manchurian Railroad which provides an outlet to Dairen shall be jointly operated by the establishment of a joint Soviet-Chinese Company it being understood that the preeminent interests of the

Soviet Union shall be safeguarded and that China shall retain full sovereignty in Manchuria;

3. The Kuril islands shall be handed over to the Soviet Union.

It is understood, that the agreement concerning Outer-Mongolia and the ports and railroads referred to above will require concurrence of Generalissimo Chiang Kai-Shek. The President will take measures in order to obtain this concurrence on advice from Marshal Stalin.

The Heads of the three Great Powers have agreed that these claims of the Soviet Union shall be unquestionably fulfilled after Japan has been defeated.

For its part the Soviet Union expresses its readiness to conclude with the National Government of China a pact of friendship and alliance between the U.S.S.R. and China in order to render assistance to China with its armed forces for the purpose of liberating China from the Japanese yoke.

JOSEPH V. STALIN  
FRANKLIN D. ROOSEVELT  
WINSTON S. CHURCHILL

*February 11, 1945*



# *Organization To Maintain International Peace and Security*

## CHARTER OF THE UNITED NATIONS, JUNE 26, 1945

### *PREAMBLE AND CHAPTERS I & VI-VIII*

We the peoples of the United Nations determined

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,

and for these ends

to practice tolerance and live together in peace with one another as good neighbors, and

to unite our strength to maintain international peace and security, and

to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,

have resolved to combine our efforts to accomplish these aims.

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

### CHAPTER I

#### Purposes and Principles

##### *Article 1*

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of

peoples, and to take other appropriate measures to strengthen universal peace;

3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

### *Article 2*

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the

United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

. . . . .

## CHAPTER VI

### Pacific Settlement of Disputes

#### *Article 33*

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

#### *Article 34*

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.



### *Article 35*

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

### *Article 36*

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.

3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

### *Article 37*

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.

2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

### *Article 38*

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

## CHAPTER VII

### Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression

#### *Article 39*

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

#### *Article 40*

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

### *Article 41*

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

### *Article 42*

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

### *Article 43*

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be

concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

### *Article 44*

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfillment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

### *Article 45*

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

### *Article 46*

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

### *Article 47*

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace



and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional subcommittees.

#### *Article 48*

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

#### *Article 49*

The Members of the United Nations shall join in affording mutual assistance in carry-

ing out the measures decided upon by the Security Council.

#### *Article 50*

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

#### *Article 51*

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

### CHAPTER VIII

#### Regional Arrangements

#### *Article 52*

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their

activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

#### *Article 53*

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional ar-

rangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

#### *Article 54*

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

. . . . .



# *The Berlin (Potsdam) Conference*

## *July 17–August 2, 1945*

### PROTOCOL OF PROCEEDINGS, BY THE HEADS OF GOVERNMENT OF THE UNITED STATES, UNITED KINGDOM, AND SOVIET UNION, AUGUST 1, 1945

The Berlin Conference of the Three Heads of Government of the U.S.S.R., U.S.A., and U.K., which took place from July 17 to August 2, 1945, came to the following conclusions:

#### *I. Establishment of a Council of Foreign Ministers*

A. The Conference reached the following agreement for the establishment of a Council of Foreign Ministers to do the necessary preparatory work for the peace settlements:

“(1) There shall be established a Council composed of the Foreign Ministers of the United Kingdom, the Union of Soviet Socialist Republics, China, France, and the United States.

“(2) (i) The Council shall normally meet in London which shall be the permanent seat of the joint Secretariat which the Council will form. Each of the Foreign Ministers will be accompanied by a high-ranking Deputy, duly authorized to carry on the work of the Council in the absence of his Foreign Minister, and by a small staff of technical advisers.

“(ii) The first meeting of the Council shall be held in London not later than September 1st 1945. Meetings may be held by

common agreement in other capitals as may be agreed from time to time.

“(3) (i) As its immediate important task, the Council shall be authorized to draw up, with a view to their submission to the United Nations, treaties of peace with Italy, Rumania, Bulgaria, Hungary and Finland, and to propose settlements of territorial questions outstanding on the termination of the war in Europe. The Council shall be utilized for the preparation of a peace settlement for Germany to be accepted by the Government of Germany when a government adequate for the purpose is established.

“(ii) For the discharge of each of these tasks the Council will be composed of the Members representing those States which were signatory to the terms of surrender imposed upon the enemy State concerned. For the purposes of the peace settlement for Italy, France shall be regarded as a signatory to the terms of surrender for Italy. Other Members will be invited to participate when matters directly concerning them are under discussion.

“(iii) Other matters may from time to time be referred to the Council by agreement between the Member Governments.

“(4) (i) Whenever the Council is con-

sidering a question of direct interest to a State not represented thereon, such State should be invited to send representatives to participate in the discussion and study of that question.

“(ii) The Council may adapt its procedure to the particular problems under consideration. In some cases it may hold its own preliminary discussions prior to the participation of other interested States. In other cases, the Council may convoke a formal conference of the States chiefly interested in seeking a solution of the particular problem.”

B. It was agreed that the three Governments should each address an identical invitation to the Governments of China and France to adopt this text and to join in establishing the Council. The text of the approved invitation was as follows:

#### COUNCIL OF FOREIGN MINISTERS

#### Draft for Identical Invitation To Be Sent Separately by Each of the Three Governments to the Governments of China and France

“The Governments of the United Kingdom, the United States and the U.S.S.R. consider it necessary to begin without delay the essential preparatory work upon the peace settlements in Europe. To this end they are agreed that there should be established a Council of the Foreign Ministers of the Five Great Powers to prepare treaties of peace with the European enemy States, for submission to the United Nations. The Council would also be empowered to propose settlements of outstanding territorial questions in Europe and to consider such

other matters as member Governments might agree to refer to it.

“The text adopted by the Three Governments is as follows:

(Here insert final agreed text of the Proposal as quoted above.)

“In agreement with the Governments of the United States and USSR, His Majesty's Government in the United Kingdom and USSR, the United States Government, the United Kingdom and the Soviet Government extend a cordial invitation to the Government of China (France) to adopt the text quoted above and to join in setting up the Council. His Majesty's Government, the United States Government, the Soviet Government attach much importance to the participation of the Chinese Government (French Government) in the proposed arrangements and they hope to receive an early and favorable reply to this invitation.”

C. It was understood that the establishment of the Council of Foreign Ministers for the specific purposes named in the text would be without prejudice to the agreement of the Crimea Conference, that there should be periodical consultation between the Foreign Secretaries of the United States, the Union of Soviet Socialist Republics and the United Kingdom.

D. The Conference also considered the position of the European Advisory Commission in the light of the Agreement to establish the Council of Foreign Ministers. It was noted with satisfaction that the Commission had ably discharged its principal tasks by the recommendations that it had furnished for the terms of surrender for Germany, for the zones of occupation in Germany and Austria and for the inter-Allied control machinery in those countries.



It was felt that further work of a detailed character for the coordination of Allied policy for the control of Germany and Austria would in future fall within the competence of the Control Council at Berlin and the Allied Commission at Vienna. Accordingly it was agreed to recommend that the European Advisory Commission be dissolved.

## II. *The Principles To Govern the Treatment of Germany in the Initial Control Period*

### A. Political Principles

1. In accordance with the Agreement on Control Machinery in Germany, supreme authority in Germany is exercised, on instructions from their respective Governments, by the Commanders-in-Chief of the armed forces of the United States of America, the United Kingdom, the Union of Soviet Socialist Republics, and the French Republic, each in his own zone of occupation, and also jointly, in matters affecting Germany as a whole, in their capacity as members of the Control Council.

2. So far as is practicable, there shall be uniformity of treatment of the German population throughout Germany.

3. The purposes of the occupation of Germany by which the Control Council shall be guided are:

(i) The complete disarmament and demilitarization of Germany and the elimination or control of all German industry that could be used for military production. To these ends:

(a) All German land, naval and air forces, the S.S., S.A., S.D., and Gestapo, with all their organizations, staffs and institutions, including the General Staff, the Officers' Corps, Reserve Corps, military

schools, war veterans' organizations and all other military and semi-military organizations, together with all clubs and associations which serve to keep alive the military tradition in Germany, shall be completely and finally abolished in such manner as permanently to prevent the revival or reorganization of German militarism and Nazism;

(b) All arms, ammunition and implements of war and all specialized facilities for their production shall be held at the disposal of the Allies or destroyed. The maintenance and production of all aircraft and all arms, ammunition and implements of war shall be prevented.

(ii) To convince the German people that they have suffered a total military defeat and that they cannot escape responsibility for what they have brought upon themselves, since their own ruthless warfare and the fanatical Nazi resistance have destroyed German economy and made chaos and suffering inevitable.

(iii) To destroy the National Socialist Party and its affiliated and supervised organizations, to dissolve all Nazi institutions, to ensure that they are not revived in any form, and to prevent all Nazi and militarist activity or propaganda.

(iv) To prepare for the eventual reconstruction of German political life on a democratic basis and for eventual peaceful cooperation in international life by Germany.

4. All Nazi laws which provided the basis of the Hitler regime or established discriminations on grounds of race, creed, or political opinion shall be abolished. No such discriminations, whether legal, administrative or otherwise, shall be tolerated.

5. War criminals and those who have participated in planning or carrying out Nazi enterprises involving or resulting in atrocities or war crimes shall be arrested and brought to judgment. Nazi leaders, influential Nazi supporters and high officials of Nazi organizations and institutions and any other persons dangerous to the occupation or its objectives shall be arrested and interned.

6. All members of the Nazi Party who have been more than nominal participants in its activities and all other persons hostile to Allied purposes shall be removed from public and semi-public office, and from positions of responsibility in important private undertakings. Such persons shall be replaced by persons who, by their political and moral qualities, are deemed capable of assisting in developing genuine democratic institutions in Germany.

7. German education shall be so controlled as completely to eliminate Nazi and militarist doctrines and to make possible the successful development of democratic ideas.

8. The judicial system will be reorganized in accordance with the principles of democracy, of justice under law, and of equal rights for all citizens without distinction of race, nationality or religion.

9. The administration in Germany should be directed towards the decentralization of the political structure and the development of local responsibility. To this end:

(i) local self-government shall be restored throughout Germany on democratic principles and in particular through elective councils as rapidly as is consistent with military security and the purposes of military occupation;

(ii) all democratic political parties with rights of assembly and of public discussion

shall be allowed and encouraged throughout Germany;

(iii) representative and elective principles shall be introduced into regional, provincial and state (Land) administration as rapidly as may be justified by the successful application of these principles in local self-government;

(iv) for the time being, no central German Government shall be established. Notwithstanding this, however, certain essential central German administrative departments, headed by State Secretaries, shall be established, particularly in the fields of finance, transport, communications, foreign trade and industry. Such departments will act under the direction of the Control Council.

10. Subject to the necessity for maintaining military security, freedom of speech, press and religion shall be permitted, and religious institutions shall be respected. Subject likewise to the maintenance of military security, the formation of free trade unions shall be permitted.

## B. Economic Principles

11. In order to eliminate Germany's war potential, the production of arms, ammunition and implements of war as well as all types of aircraft and sea-going ships shall be prohibited and prevented. Production of metals, chemicals, machinery and other items that are directly necessary to a war economy shall be rigidly controlled and restricted to Germany's approved post-war peacetime needs to meet the objectives stated in Paragraph 15. Productive capacity not needed for permitted production shall be removed in accordance with the reparations plan recommended by the Allied Commission on Reparations and ap-



proved by the Governments concerned or if not removed shall be destroyed.

12. At the earliest practicable date, the German economy shall be decentralized for the purpose of eliminating the present excessive concentration of economic power as exemplified in particular by cartels, syndicates, trusts and other monopolistic arrangements.

13. In organizing the German Economy, primary emphasis shall be given to the development of agriculture and peaceful domestic industries.

14. During the period of occupation Germany shall be treated as a single economic unit. To this end common policies shall be established in regard to:

- (a) mining and industrial production and its allocation;
- (b) agriculture, forestry and fishing;
- (c) wages, prices and rationing;
- (d) import and export programs for Germany as a whole;
- (e) currency and banking, central taxation and customs;
- (f) reparation and removal of industrial war potential;
- (g) transportation and communications.

In applying these policies account shall be taken, where appropriate, of varying local conditions.

15. Allied controls shall be imposed upon the German economy but only to the extent necessary:

- (a) to carry out programs of industrial disarmament, demilitarization, of reparations, and of approved exports and imports.
- (b) to assure the production and maintenance of goods and services required to meet the needs of the occupying forces and displaced persons in Germany and essential to maintain in Germany average living

standards not exceeding the average of the standards of living of European countries. (European countries means all European countries excluding the United Kingdom and the U.S.S.R.)

(c) to ensure in the manner determined by the Control Council the equitable distribution of essential commodities between the several zones so as to produce a balanced economy throughout Germany and reduce the need for imports.

(d) to control German industry and all economic and financial international transactions including exports and imports, with the aim of preventing Germany from developing a war potential and of achieving the other objectives named herein.

(e) to control all German public or private scientific bodies, research and experimental institutions, laboratories, et cetera, connected with economic activities.

16. In the imposition and maintenance of economic controls established by the Control Council, German administrative machinery shall be created and the German authorities shall be required to the fullest extent practicable to proclaim and assume administration of such controls. Thus it should be brought home to the German people that the responsibility for the administration of such controls and any breakdown in these controls will rest with themselves. Any German controls which may run counter to the objectives of occupation will be prohibited.

17. Measures shall be promptly taken:

- (a) to effect essential repair of transport;
  - (b) to enlarge coal production;
  - (c) to maximize agricultural output;
- and

(d) to effect emergency repair of housing and essential utilities.

18. Appropriate steps shall be taken by the Control Council to exercise control and the power of disposition over German-owned external assets not already under the control of United Nations which have taken part in the war against Germany.

19. Payment of Reparations should leave enough resources to enable the German people to subsist without external assistance. In working out the economic balance of Germany the necessary means must be provided to pay for imports approved by the Control Council in Germany. The proceeds of exports from current production and stocks shall be available in the first place for payment for such imports.

The above clause will not apply to the equipment and products referred to in paragraphs 4 (a) and 4 (b) of the Reparations Agreement.

### III. *Reparations from Germany*

1. Reparation claims of the U.S.S.R. shall be met by removals from the zone of Germany occupied by the U.S.S.R., and from appropriate German external assets.

2. The U.S.S.R. undertakes to settle the reparation claims of Poland from its own share of reparations.

3. The reparation claims of the United States, the United Kingdom and other countries entitled to reparations shall be met from the Western Zones and from appropriate German external assets.

4. In addition to the reparations to be taken by the U.S.S.R. from its own zone of occupation, the U.S.S.R. shall receive additionally from the Western Zones:

(a) 15 percent of such usable and complete industrial capital equipment, in the

first place from the metallurgical, chemical and machine manufacturing industries as is unnecessary for the German peace economy and should be removed from the Western Zones of Germany, in exchange for an equivalent value of food, coal, potash, zinc, timber, clay products, petroleum products, and such other commodities as may be agreed upon.

(b) 10 percent of such industrial capital equipment as is unnecessary for the German peace economy and should be removed from the Western Zones, to be transferred to the Soviet Government on reparations account without payment or exchange of any kind in return.

Removals of equipment as provided in (a) and (b) above shall be made simultaneously.

5. The amount of equipment to be removed from the Western Zones on account of reparations must be determined within six months from now at the latest.

6. Removals of industrial capital equipment shall begin as soon as possible and shall be completed within two years from the determination specified in paragraph 5. The delivery of products covered by 4 (a) above shall begin as soon as possible and shall be made by the U.S.S.R. in agreed installments within five years of the date hereof. The determination of the amount and character of the industrial capital equipment unnecessary for the German peace economy and therefore available for reparation shall be made by the Control Council under policies fixed by the Allied Commission on Reparations, with the participation of France, subject to the final approval of the Zone Commander in the Zone from which the equipment is to be removed.

7. Prior to the fixing of the total amount



of equipment subject to removal, advance deliveries shall be made in respect to such equipment as will be determined to be eligible for delivery in accordance with the procedure set forth in the last sentence of paragraph 6.

8. The Soviet Government renounces all claims in respect of reparations to shares of German enterprises which are located in the Western Zones of Germany as well as to German foreign assets in all countries except those specified in paragraph 9 below.

9. The Governments of the U.K. and U.S.A. renounce all claims in respect of reparations to shares of German enterprises which are located in the Eastern Zone of occupation in Germany, as well as to German foreign assets in Bulgaria, Finland, Hungary, Rumania and Eastern Austria.

10. The Soviet Government makes no claims to gold captured by the Allied troops in Germany.

#### IV. *Disposal of the German Navy and Merchant Marine*

A. The following principles for the distribution of the German Navy were agreed:

(1) The total strength of the German surface navy, excluding ships sunk and those taken over from Allied Nations, but including ships under construction or repair, shall be divided equally among the U.S.S.R., U.K., and U.S.A.

(2) Ships under construction or repair means those ships whose construction or repair may be completed within three to six months, according to the type of ship. Whether such ships under construction or repair shall be completed or repaired shall be determined by the technical commission appointed by the Three Powers and referred to below, subject to the principle that their

completion or repair must be achieved within the time limits above provided, without any increase of skilled employment in the German shipyards and without permitting the reopening of any German ship building or connected industries. Completion date means the date when a ship is able to go out on its first trip, or, under peacetime standards, would refer to the customary date of delivery by shipyard to the Government.

(3) The larger part of the German submarine fleet shall be sunk. Not more than thirty submarines shall be preserved and divided equally between the U.S.S.R., U.K. and U.S.A., for experimental and technical purposes.

(4) All stocks of armament, ammunition and supplies of German Navy appertaining to the vessels transferred pursuant to paragraphs (1) and (3) hereof shall be handed over to the respective powers receiving such ships.

(5) The Three Governments agree to constitute a tripartite naval commission comprising two representatives for each government, accompanied by the requisite staff, to submit agreed recommendations to the Three Governments for the allocation of specific German warships and to handle other detailed matters arising out of the agreement between the Three Governments regarding the German fleet. The Commission will hold its first meeting not later than 15th August, 1945, in Berlin, which shall be its headquarters. Each Delegation on the Commission will have the right on the basis of reciprocity to inspect German warships wherever they may be located.

(6) The Three Governments agreed that transfers, including those of ships under construction and repair, shall be completed as soon as possible, but not later than 15th

February, 1946. The Commission will submit fortnightly reports, including proposals for the progressive allocation of the vessels when agreed by the Commission.

B. The following principles for the distribution of the German Merchant Marine were agreed:

(1) The German Merchant Marine, surrendered to the Three Powers and wherever located, shall be divided equally among the U.S.S.R., the U.K., and the U.S.A. The actual transfers of the ships to the respective countries shall take place as soon as practicable after the end of the war against Japan. The United Kingdom and the United States will provide out of their shares of the surrendered German merchant ships appropriate amounts for other Allied States whose merchant marines have suffered heavy losses in the common cause against Germany, except that the Soviet Union shall provide out of its share for Poland.

(2) The allocation, manning, and operation of these ships during the Japanese War period shall fall under the cognizance and authority of the Combined Shipping Adjustment Board and the United Maritime Authority.

(3) While actual transfer of the ships shall be delayed until after the end of the war with Japan, a Tripartite Shipping Commission shall inventory and value all available ships and recommend a specific distribution in accordance with paragraph (1).

(4) German inland and coastal ships determined to be necessary to the maintenance of the basic German peace economy by the Allied Control Council of Germany shall not be included in the shipping pool thus divided among the Three Powers.

(5) The Three Governments agree to constitute a tripartite merchant marine commission comprising two representatives for each Government, accompanied by the requisite staff, to submit agreed recommendations to the Three Governments for the allocation of specific German merchant ships and to handle other detailed matters arising out of the agreement between the Three Governments regarding the German merchant ships. The Commission will hold its first meeting not later than September 1st, 1945, in Berlin, which shall be its headquarters. Each delegation on the Commission will have the right on the basis of reciprocity to inspect the German merchant ships wherever they may be located.

#### *V. City of Koenigsberg and the Adjacent Area*

The Conference examined a proposal by the Soviet Government to the effect that pending the final determination of territorial questions at the peace settlement, the section of the western frontier of the Union of Soviet Socialist Republics which is adjacent to the Baltic Sea should pass from a point on the eastern shore of the Bay of Danzig to the east, north of Braunsberg Goldap, to the meeting point of the frontiers of Lithuania, the Polish Republic and East Prussia.

The Conference has agreed in principle to the proposal of the Soviet Government concerning the ultimate transfer to the Soviet Union of the City of Koenigsberg and the area adjacent to it as described above subject to expert examination of the actual frontier.

The President of the United States and the British Prime Minister have declared that they will support the proposal of the



Conference at the forthcoming peace settlement.

## VI. *War Criminals*

The Three Governments have taken note of the discussions which have been proceeding in recent weeks in London between British, United States, Soviet and French representatives with a view to reaching agreement on the methods of trial of those major war criminals whose crimes under the Moscow Declaration of October, 1943 have no particular geographical localisation. The Three Governments reaffirm their intention to bring these criminals to swift and sure justice. They hope that the negotiations in London will result in speedy agreement being reached for this purpose, and they regard it as a matter of great importance that the trial of these major criminals should begin at the earliest possible date. The first list of defendants will be published before 1st September.

## VII. *Austria*

The Conference examined a proposal by the Soviet Government on the extension of the authority of the Austrian Provisional Government to all of Austria.

The Three Governments agreed that they were prepared to examine this question after the entry of the British and American forces into the city of Vienna.

It was agreed that reparations should not be exacted from Austria.

## VIII. *Poland*

### A. Declaration

We have taken note with pleasure of the agreement reached among representative Poles from Poland and abroad which has made possible the formation, in accordance with the decisions reached at the Crimea

Conference, of a Polish Provisional Government of National Unity recognized by the Three Powers. The establishment by the British and United States Governments of diplomatic relations with the Polish Provisional Government of National Unity has resulted in the withdrawal of their recognition from the former Polish Government in London, which no longer exists.

The British and United States Governments have taken measures to protect the interest of the Polish Provisional Government of National Unity as the recognized government of the Polish State in the property belonging to the Polish State located in their territories and under their control, whatever the form of this property may be. They have further taken measures to prevent alienation to third parties of such property. All proper facilities will be given to the Polish Provisional Government of National Unity for the exercise of the ordinary legal remedies for the recovery of any property belonging to the Polish State which may have been wrongfully alienated.

The Three Powers are anxious to assist the Polish Provisional Government of National Unity in facilitating the return to Poland as soon as practicable of all Poles abroad who wish to go, including members of the Polish Armed Forces and the Merchant Marine. They expect that those Poles who return home shall be accorded personal and property rights on the same basis as all Polish citizens.

The Three Powers note that the Polish Provisional Government of National Unity in accordance with the decisions of the Crimea Conference, has agreed to the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot in which all demo-

cratic and anti-Nazi parties shall have the right to take part and to put forward candidates and that representatives of the Allied press shall enjoy full freedom to report to the world upon developments in Poland before and during the elections.

#### B. Western Frontier of Poland

In conformity with the agreement on Poland reached at the Crimea Conference the three Heads of Government have sought the opinion of the Polish Provisional Government of National Unity in regard to the accession of territory in the north and west which Poland should receive. The President of the National Council of Poland and members of the Polish Provisional Government of National Unity have been received at the Conference and have fully presented their views. The three Heads of Government reaffirm their opinion that the final delimitation of the western frontier of Poland should await the peace settlement.

The three Heads of Government agree that, pending the final determination of Poland's western frontier, the former German territories east of a line running from the Baltic Sea immediately west of Swinemunde, and thence along the Oder River to the confluence of the western Neisse River and along the western Neisse to the Czechoslovak frontier, including that portion of East Prussia not placed under the administration of the Union of Soviet Socialist Republics in accordance with the understanding reached at this conference and including the area of the former free city of Danzig, shall be under the administration of the Polish State and for such purposes should not be considered as part of the Soviet zone of occupation in Germany.

#### IX. *Conclusion of Peace Treaties and Admission to the United Nations Organization*

The three Governments consider it desirable that the present anomalous position of Italy, Bulgaria, Finland, Hungary and Rumania should be terminated by the conclusion of Peace Treaties. They trust that the other interested Allied Governments will share these views.

For their part the three Governments have included the preparation of a Peace Treaty for Italy as the first among the immediate important tasks to be undertaken by the new Council of Foreign Ministers. Italy was the first of the Axis Powers to break with Germany, to whose defeat she has made a material contribution, and has now joined with the Allies in the struggle against Japan. Italy has freed herself from the Fascist regime and is making good progress towards reestablishment of a democratic government and institutions. The conclusion of such a Peace Treaty with a recognized and democratic Italian Government will make it possible for the three Governments to fulfill their desire to support an application from Italy for membership in the United Nations.

The three Governments have also charged the Council of Foreign Ministers with the task of preparing Peace Treaties for Bulgaria, Finland, Hungary and Rumania. The conclusion of Peace Treaties with recognized democratic governments in these States will also enable the three Governments to support applications from them for membership of the United Nations. The three Governments agree to examine each separately in the near future, in the light of the conditions then prevailing, the establish-



ment of diplomatic relations with Finland, Rumania, Bulgaria and Hungary to the extent possible prior to the conclusion of peace treaties with those countries.

The three Governments have no doubt that in view of the changed conditions resulting from the termination of the war in Europe, representatives of the Allied press will enjoy full freedom to report to the world upon developments in Rumania, Bulgaria, Hungary and Finland.

As regards the admission of other States into the United Nations Organization, Article 4 of the Charter of the United Nations declares that:

1. Membership in the United Nations is open to all other peace-loving States who accept the obligations contained in the present Charter and, in the judgment of the organization, are able and willing to carry out these obligations;

2. The admission of any such State to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

The three Governments, so far as they are concerned, will support applications for membership from those States which have remained neutral during the war and which fulfill the qualifications set out above.

The three Governments feel bound however to make it clear that they for their part would not favour any application for membership put forward by the present Spanish Government, which, having been founded with the support of the Axis Powers, does not, in view of its origins, its nature, its record and its close association with the aggressor States possess the qualifications necessary to justify such membership.

## X. *Territorial Trusteeship*

The Conference examined a proposal by the Soviet Government on the question of trusteeship territories as defined in the decision of the Crimea Conference, and in the Charter of the United Nations Organization.

After an exchange of views on this question it was decided that the dispositions of any former Italian colonial territories was one to be decided in connection with the preparation of a peace treaty for Italy and that the question of Italian colonial territory would be considered by the September Council of Ministers of Foreign Affairs.

## XI. *Revised Allied Control Commission Procedure in Rumania, Bulgaria and Hungary*

The three Governments took note that the Soviet Representatives on the Allied Control Commissions in Rumania, Bulgaria and Hungary have communicated to their United Kingdom and United States colleagues proposals for improving the work of the Control Commissions, now that hostilities in Europe have ceased.

The three Governments agreed that the revision of the procedures of the Allied Control Commissions in these countries would now be undertaken, taking into account the interests and responsibilities of the three Governments which together presented the terms of armistice to the respective countries, and accepting as a basis, in respect of all three countries, the Soviet Government's proposals for Hungary as annexed hereto. (Annex I)

## XII. *Orderly Transfer of German Populations*

The Three Governments, having considered the question in all its aspects, recog-

nize that the transfer to Germany of German populations, or elements thereof, remaining in Poland, Czechoslovakia and Hungary, will have to be undertaken. They agree that any transfers that take place should be effected in an orderly and humane manner.

Since the influx of a large number of Germans into Germany would increase the burden already resting on the occupying authorities, they consider that the Control Council in Germany should in the first instance examine the problem, with special regard to the question of the equitable distribution of these Germans among the several zones of occupation. They are accordingly instructing their respective representatives on the Control Council to report to their Governments as soon as possible the extent to which such persons have already entered Germany from Poland, Czechoslovakia and Hungary, and to submit an estimate of the time and rate at which further transfers could be carried out having regard to the present situation in Germany.

The Czechoslovak Government, the Polish Provisional Government and the Control Council in Hungary are at the same time being informed of the above and are being requested meanwhile to suspend further expulsions pending an examination by the Governments concerned of the report from their representatives on the Control Council.

### XIII. *Oil Equipment in Rumania*

The Conference agreed to set up two bilateral commissions of experts, one to be composed of United Kingdom and Soviet

Members, and one to be composed of United States and Soviet Members, to investigate the facts and examine the documents, as a basis for the settlement of questions arising from the removal of oil equipment in Rumania. It was further agreed that these experts shall begin their work within ten days, on the spot.

### XIV. *Iran*

It was agreed that Allied troops should be withdrawn immediately from Tehran, and that further stages of the withdrawal of troops from Iran should be considered at the meeting of the Council of Foreign Ministers to be held in London in September, 1945.

### XV. *The International Zone of Tangier*

A proposal by the Soviet Government was examined and the following decisions were reached:

Having examined the question of the Zone of Tangier, the three Governments have agreed that this Zone, which includes the City of Tangier and the area adjacent to it, in view of its special strategic importance, shall remain international.

The question of Tangier will be discussed in the near future at a meeting in Paris of representatives of the Governments of the Union of Soviet Socialist Republics, the United States of America, the United Kingdom and France.

### XVI. *The Black Sea Straits*

The Three Governments recognized that the Convention concluded at Montreux should be revised as failing to meet present-day conditions.

It was agreed that as the next step the



matter should be the subject of direct conversations between each of the three Governments and the Turkish Government.

#### XVII. *International Inland Waterways*

The Conference considered a proposal of the U.S. Delegation on this subject and agreed to refer it for consideration to the forthcoming meeting of the Council of Foreign Ministers in London.

#### XVIII. *European Inland Transport Conference*

The British and U.S. Delegations to the Conference informed the Soviet Delegation of the desire of the British and U.S. Governments to reconvene the European Inland Transport Conference and stated that they would welcome assurance that the Soviet Government would participate in the work of the reconvened conference. The Soviet Government agreed that it would participate in this conference.

#### XIX. *Directives to Military Commanders on Allied Control Council for Germany*

The Three Governments agreed that each would send a directive to its representative on the Control Council for Germany informing him of all decisions of the Conference affecting matters within the scope of his duties.

#### XX. *Use of Allied Property for Satellite Reparations or "War Trophies"*

The proposal (Annex II) presented by the United States Delegation was accepted in principle by the Conference, but the drafting of an agreement on the matter was left to be worked out through diplomatic channels.

#### XXI. *Military Talks*

During the Conference there were meetings between the Chiefs of Staff of the Three Governments on military matters of common interest.

### ANNEX I

## Text of a Letter Transmitted on July 12 to the Representatives of the U.S. and U.K. Governments on the Allied Control Commission in Hungary

In view of the changed situation in connection with the termination of the war against Germany, the Soviet Government finds it necessary to establish the following order of work for the Allied Control Commission in Hungary.

1. During the period up to the conclusion of peace with Hungary the President (or Vice-President) of the Acc will regularly

call conferences with the British and American representatives for the purpose of discussing the most important questions relating to the work of the Acc. The conferences will be called once in 10 days, or more frequently in case of need.

Directives of the Acc on questions of principle will be issued to the Hungarian authorities by the President of the Allied Control

Commission after agreement on these directives with the English and American representatives.

2. The British and American representatives in the Acc will take part in general conferences of heads of divisions and delegates of the Acc, convoked by the President of the Acc, which meetings will be regular in nature. The British and American representatives will also participate personally or through their representatives in appropriate instances in mixed commissions created by the President of the Acc for questions connected with the execution by the Acc of its functions.

3. Free movement by the American and British representatives in the country will be permitted provided that the Acc is previously informed of the time and route of the journeys.

4. All questions connected with permission for the entrance and exit of members of the staff of the British and American representatives in Hungary will be decided on the spot by the President of the Acc within a time limit of not more than one week.

5. The bringing in and sending out by plane of mail, cargoes and diplomatic couriers will be carried out by the British and American representatives on the Acc under arrangements and within time limits established by the Acc, or in special cases by previous coordination with the President of the Acc.

I consider it necessary to add to the above that in all other points the existing Statutes regarding the Acc in Hungary, which was confirmed on January 20, 1945, shall remain in force in the future.

## ANNEX II

### Use of Allied Property for Satellite Reparations or "War Trophies"

1. The burden of reparation and "war trophies" should not fall on Allied nationals.

2. *Capital Equipment*—We object to the removal of such Allied property as reparations, "war trophies", or under any other guise. Loss would accrue to Allied Nationals as a result of destruction of plants and the consequent loss of markets and trading connections. Seizure of Allied property makes impossible the fulfillment by the satellite of its obligation under the armistice to restore intact the rights and interests of the Allied Nations and their nationals.

The United States looks to the other occupying powers for the return of any equip-

ment already removed and the cessation of removals. Where such equipment will not or cannot be returned, the U.S. will demand of the satellite adequate, effective and prompt compensation to American nationals, and that such compensation have priority equal to that of the reparations payment.

These principles apply to all property wholly or substantially owned by Allied nationals. In the event of removals of property in which the American as well as the entire Allied interest is less than substantial, the U.S. expects adequate, effective, and prompt compensation.

3. *Current Production*—While the U.S.



does not oppose reparation out of current production of Allied investments, the satellite must provide immediate and adequate compensation to the Allied nationals including sufficient foreign exchange or products so that they can recover reasonable foreign currency expenditures and transfer a reasonable return on their investment.

Such compensation must also have equal priority with reparations.

We deem it essential that the satellites not conclude treaties, agreements or arrangements which deny to Allied nationals access, on equal terms, to their trade, raw materials and industry, and appropriately modify any existing arrangements which may have that effect.

## PROTOCOL DEFINING TERMS FOR JAPANESE SURRENDER, BY THE HEADS OF GOVERNMENT OF THE UNITED STATES, UNITED KINGDOM, AND CHINA, JULY 26, 1945

### Proclamation Defining Terms for Japanese Surrender<sup>1</sup>

(The Potsdam Proclamation)

*July 26, 1945*

(1) We—the President of the United States, the President of the National Government of the Republic of China, and the Prime Minister of Great Britain, representing the hundreds of millions of our countrymen, have conferred and agree that Japan shall be given an opportunity to end this war.

(2) The prodigious land, sea and air forces of the United States, the British Empire and of China, many times reinforced by their armies and air fleets from the west, are poised to strike the final blows upon Japan. This military power is sustained and inspired by the determination of all the Allied Nations to prosecute the war against Japan until she ceases to resist.

(3) The result of the futile and senseless

German resistance to the might of the aroused free peoples of the world stands forth in awful clarity as an example to the people of Japan. The might that now converges on Japan is immeasurably greater than that which, when applied to the resisting Nazis, necessarily laid waste to the lands, the industry and the method of life of the whole German people. The full application of our military power, backed by our resolve, *will* mean the inevitable and complete destruction of the Japanese armed forces and just as inevitably the utter devastation of the Japanese homeland.

(4) The time has come for Japan to decide whether she will continue to be controlled by those self-willed militaristic ad-

<sup>1</sup> It is to be noted that the Soviet Union did not participate in this proclamation.

visers whose unintelligent calculations have brought the Empire of Japan to the threshold of annihilation, or whether she will follow the path of reason.

(5) Following are our terms. We will not deviate from them. There are no alternatives. We shall brook no delay.

(6) There must be eliminated for all time the authority and influence of those who have deceived and misled the people of Japan into embarking on world conquest, for we insist that a new order of peace, security and justice will be impossible until irresponsible militarism is driven from the world.

(7) Until such a new order is established *and* until there is convincing proof that Japan's war-making power is destroyed, points in Japanese territory to be designated by the Allies shall be occupied to secure the achievement of the basic objectives we are here setting forth.

(8) The terms of the Cairo Declaration shall be carried out and Japanese sovereignty shall be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku and such minor islands as we determine.

(9) The Japanese military forces, after being completely disarmed, shall be permitted to return to their homes with the opportunity to lead peaceful and productive lives.

(10) We do not intend that the Japanese shall be enslaved as a race or destroyed as a

nation, but stern justice shall be meted out to all war criminals, including those who have visited cruelties upon our prisoners. The Japanese Government shall remove all obstacles to the revival and strengthening of democratic tendencies among the Japanese people. Freedom of speech, of religion, and of thought, as well as respect for the fundamental human rights shall be established.

(11) Japan shall be permitted to maintain such industries as will sustain her economy and permit the exaction of just reparations in kind, but not those which would enable her to re-arm for war. To this end, access to, as distinguished from control of, raw materials shall be permitted. Eventual Japanese participation in world trade relations shall be permitted.

(12) The occupying forces of the Allies shall be withdrawn from Japan as soon as these objectives have been accomplished and there has been established in accordance with the freely expressed will of the Japanese people a peacefully inclined and responsible government.

(13) We call upon the government of Japan to proclaim now the unconditional surrender of all Japanese armed forces, and to provide proper and adequate assurances of their good faith in such action. The alternative for Japan is prompt and utter destruction.



## part II

# Documents Relating to Defeated and Occupied Areas

### *Germany and Her Allies*

#### SURRENDER BY GERMANY: TERMS BETWEEN THE UNITED STATES AND OTHER ALLIED POWERS AND GERMANY MAY 8, 1945

1. We the undersigned, acting by authority of the German High Command, hereby surrender unconditionally to the Supreme Commander, Allied Expeditionary Force and simultaneously to the Supreme High Command of the Red Army all forces on land, at sea, and in the air who are at this date under German control.

2. The German High Command will at once issue orders to all German military, naval and air authorities and to all forces under German control to cease active operations at 2301 hours Central European time on 8th May 1945, to remain in the positions occupied at that time and to disarm completely, handing over their weapons and equipment to the local allied commanders

or officers designated by Representatives of the Allied Supreme Commands. No ship, vessel, or aircraft is to be scuttled, or any damage done to their hull, machinery or equipment, and also to machines of all kinds, armament, apparatus, and all the technical means of prosecution of war in general.

3. The German High Command will at once issue to the appropriate commanders, and ensure the carrying out of any further orders issued by the Supreme Commander, Allied Expeditionary Force and by the Supreme High Command of the Red Army.

4. This act of military surrender is without prejudice to, and will be superseded by any general instrument of surrender imposed by, or on behalf of the United Nations

and applicable to GERMANY and the German armed forces as a whole.

5. In the event of the German High Command or any of the forces under their control failing to act in accordance with this Act of Surrender, the Supreme Commander, Allied Expeditionary Force and the Supreme High Command of the Red

Army will take such punitive or other action as they deem appropriate.

6. This Act is drawn up in the English, Russian and German languages. The English and Russian are the only authentic texts.

Signed at Berlin on the 8. day of May, 1945

FRIEDEBURG      KEITEL      STUMPF

On behalf of the German High Command

IN THE PRESENCE OF:

On behalf of the  
Supreme Commander  
Allied Expeditionary Force  
A W TEDDER

On behalf of the  
Supreme High Command  
of the Red Army  
G ZHUKOV

At the signing also were present as witnesses:

F. DE LATTRE-TASSIGNY  
General Commanding in Chief  
First French Army

CARL SPAATZ  
General, Commanding  
United States Strategic  
Air Forces

## PEACE TREATIES WITH ITALY, RUMANIA, BULGARIA, AND HUNGARY

*SUMMARIES OF TEXTS SIGNED FEBRUARY 10, 1947*

### Treaty of Peace with Italy

(Summary)

*The Preamble* gives a brief historical review of Italy's entry into the war, its surrender, and its co-belligerency against Germany as well as expressing the willingness of the Allied and Associated Powers to support its application to become a member of the United Nations and to conclude the present Treaty.

### Part I—TERRITORIAL CLAUSES

*Section I—Frontiers*—Articles 1–5 establish Italy's frontiers, describing the four minor rectifications in the Franco-Italian line and the new lines of the Yugoslav-Italian and Free Territory of Trieste-Italian frontiers as shown on the maps in Annex I, and create boundary commissions for the delimitation of the latter.

*Section II—France—Special Clauses*—Articles 6–9 provide for the return of ar-



chives to France, the establishment of a special railway link and the guarantee to insure Italy electric and water supply from the ceded area of Tenda and Briga, further details of which are given in Annex III.

*Section III—Austria—Special Clauses—*Article 10 takes note of the Austro-Italian agreement regulating autonomy of South Tyrol, the text of which is given in Annex IV.

*Section IV—Yugoslavia—Special Clauses—*Articles 11–13 provide for cession to Yugoslavia of Zara and the Dalmatian Islands, delivery of cultural property and guarantee of water supply for Gorizia in accordance with detailed provisions of Annex V.

*Section V—Greece—Special Clauses—*Article 14 provides for cession of the Dodecanese Islands to Greece, their demilitarization and the withdrawal of troops.

## Part II—POLITICAL CLAUSES

*Section I—General Clauses—*Articles 15–18 contain (a) the assurance of human rights and fundamental freedoms, (b) the guarantees of non-persecution of Allied supporters and abolition of Fascist organizations, and (c) the recognition of the Peace settlements.

*Section II—Nationality, Civil and Political Rights—*Articles 19–20 grant right of option to persons in territories ceded by Italy and to Yugoslav residents in Italy and assure their human rights and freedoms.

*Section III—Trieste—*Articles 21–22 set up the Free Territory of Trieste with its integrity and independence to be assured by the Security Council and describe its frontiers with Yugoslavia. Annexes VI, VII, VIII, IX and X refer to this Section. Annex VI contains the statute or charter of the Free Territory to be incorporated in its

constitution. The Statute provides for the territory's demilitarization, citizenship of its inhabitants, the democratic organization of its government with legislative authority vested in a popular Assembly and executive power in a Council of Government with special powers conferred upon the Governor appointed by the Security Council, enabling him to protect the integrity and independence of the Territory and human rights of the inhabitants. The statute likewise insures the economic independence of the Territory, makes provision for the operations of its railways and establishes a customs free port with freedom of railway transport to and from the Territory.

*Annex VII* sets up the rules for the provisional regime until elections can be held in the Free Territory and until the approval of the Security Council can bring the statute into force. During this period the Governor, assisted by a provisional Council of Government appointed by him, has greater powers, and the responsibility for holding free elections. Allied forces now in occupation are to be limited to 5,000 each for the United Kingdom, the United States and Yugoslavia and are placed at the disposal of the Governor who shall determine after 90 days whether conditions of internal order require their services for a further period.

*Annex VIII* sets forth the rules for the operation, under a Director appointed by the Governor, of the Free Port available for use on equal terms by all international commerce, provides for freedom of transit of goods transported by railway and precludes the establishment of any special zones within the Port but guarantees berthing facilities to Italy and Yugoslavia.

A special international commission of an advisory character composed of representatives of France, the United Kingdom, the United States, the Union of Socialist Soviet Republics, Yugoslavia, Italy, Czechoslovakia, Poland, Switzerland, Austria and Hungary is created to investigate all matters relating to the operation and administration of the Free Port and to make recommendations thereon.

*Annex IX* gives technical guarantees for the Free Territory to insure water and electric supply from Italy and Yugoslavia and grants facilities for local frontier trade.

*Annex X—Economic and Financial Provisions*—provides for an orderly transfer of Italian property to the free Territory, an adjustment with respect to the Italian public debt, the continuance and reassignment of insurance obligations, and the return of United Nations property, and contains provisions for such matters as property rights including right of removal, restitution, and the disposition of local government property and records.

*Section IV—Italian Colonies*—Article 23 provides for renunciation of Italian sovereignty over its Colonial possessions and their final disposal under the terms of Annex XI by the United States, the United Kingdom, the Union of Soviet Socialist Republics and France in the light of the wishes and welfare of the inhabitants and the interests of peace and security. Failing agreement within one year, matter is to be referred to the UN Assembly for final solution.

*Section V—Special Interests of China*—Articles 24–26 liquidate former Italian leases and special rights in China.

*Section VI—Albania*—Articles 27–32 provide for the final liquidation of the special position, rights and claims of Italy in Albania and for the restoration of property.

*Section VII—Ethiopia*—Articles 33–38 likewise provide for final liquidation of the special position, rights and claims of Italy in Ethiopia and for the restoration of property.

*Section VIII—International Agreements*—Articles 39–43 eliminate any special position for Italy as regards mandate system, Congo Basin treaties, Red Sea Islands and the Statute of Tangier and provide for the recognition by Italy of the liquidation of the League of Nations and other similar bodies.

*Section IX—Bi-Lateral Treaties*—Article 44 provides for the revival of pre-war treaties notified to Italy by the Allied and Associated Power concerned.

### Part III—WAR CRIMINALS

Article 45 insures that Italy will take necessary steps looking to the surrender of war criminals and persons accused of treason but gives the Ambassadors at Rome of the great Powers control of the interpretation of this clause.

### Part IV—NAVAL, MILITARY AND AIR CLAUSES

*Section I—Duration of Application*—Article 46 provides that the limitations imposed upon the Italian armed forces remain in effect until modified by agreement either with the Allied and Associated Powers or with the Security Council.

*Section II—General Limitations*—Articles 47–55 provide for demilitarization of the Franco-Italian frontier, the Italian-Yugoslav frontier, Sardinia, Sicily, and the Mediterranean Islands, as well as for prohibition upon atomic weapons, guided mis-



siles, long-range guns and the limitation on the number of tanks and war material in excess of the amount required for forces limited by the treaty, as well as a prohibition upon service in the armed forces of a former Fascist militia and Republican Army member.

*Section III—Limitation of the Italian Navy*—Articles 56–60 establish limitations upon the Italian Navy in accordance with the schedule contained in Annex 12—A providing for a small but balanced fleet. The remaining vessels of the Italian Navy are to be placed at the disposal of the four Powers in good condition and provision is made for disposal of submarines, non-operational naval vessels, as well as for prohibition upon the construction of battleships, aircraft carriers, submarines, motor torpedo boats and assault craft and upon replacement construction in excess of the tonnage limit of 67,500 tons. Personnel of the Italian Navy is established at 25,000 officers and men. Naval training is restricted to the above personnel.

*Section IV—Limitation of the Army*—Articles 61–63 set the limits for the Italian Army at 185,000 and for the Carabinieri at 65,000 and prohibit military training for other persons.

*Section V—Limitation of the Air Force*—Articles 64–66 limit the Italian Air Force to 200 fighter and 150 transport and other aircraft and to a personnel strength of 25,000 and further prohibit bomber aircraft. Military air training is restricted to the above personnel.

*Section VI—Disposal of War Material*—Article 67 lays down the rules for disposal of surplus war material.

*Section VII—Prevention of German and Japanese Rearmament*—Articles 68–70

provide for Italian cooperation in prevention of Axis rearmament.

*Section VIII—Prisoners of War*—Article 71 requires prompt repatriation of Italian prisoners of war.

*Section IX—Mine Clearance*—Under Article 72, Italy is invited to join the Mine Clearance Organization and will place its minesweeper forces at the disposal of this body.

*Annex XIII* contains definitions of terms used in this Part.

#### PART V—WITHDRAWAL OF ALLIED FORCES

Article 73 calls for withdrawal from Italy of all armed forces of the Allied and Associated Powers within 90 days and the return of goods in their possession.

#### PART VI—CLAIMS ARISING OUT OF THE WAR

*Section I—Reparations*—Article 74 sets the figures for Italian reparation at \$100,000,000 for the Soviet Union, \$5,000,000 for Albania, \$25,000,000 for Ethiopia, \$105,000,000 for Greece and \$125,000,000 to Yugoslavia (total \$260,000,000) to be paid over a period of 7 years, which does not, however, start for 2 years except by mutual agreement. Reparation will be made not in cash but from surplus war factory equipment, from Italian assets in Roumania, Bulgaria and Hungary, from capital goods and assets, and from current production. Deliveries are to be scheduled in such a way as to avoid interference with Italy's economic reconstruction and placing a burden on other Allied or Associated Powers. States receiving reparation from current production must provide raw materials required. Specific deliveries are to be determined by mutual agreement, and machinery is established for supervision of repara-

tion. Persons whose property is taken for reparation purposes will be compensated by Italy.

*Section II—Restitution by Italy*—Article 75 provides for the return in good order of identifiable property removed from territory of any of the United Nations, including monetary gold, and for method of presenting claims.

*Section III—Renunciation of Claims by Italy*—Articles 76–77 make provision for (a) renunciation by Italy of any claims upon the Allied and Associated Powers for loss or damage from war operations including Prize Court decrees and exercise of belligerent rights, (b) assumption of responsibility for Allied Military currency, (c) eligibility for restitution of Italian property in Germany, and (d) waiver of all Italian claims against Germany.

## PART VII—PROPERTY, RIGHTS AND INTERESTS

*Section I—United Nations Property in Italy*.—Article 78 provides for restoration of all legal rights and interests in Italy of the United Nations and their nationals and for restoration of their property in good order. In cases where the property cannot be restored or is damaged, the owner shall receive compensation in Italian lire to the equivalent to  $\frac{2}{3}$  of the loss. This same responsibility extends to United Nations property in the ceded territories and the Free Territory of Trieste.

*Section II—Italian Property in the Territory of the Allied and Associated Powers*.—Article 79 authorizes the Allied and Associated Powers to take over property of Italy and its nationals in their territories and to apply the property or its proceeds to

settlement of claims against Italy not settled by other clauses. The following are exempted from this provision: (a) consular and diplomatic property, (b) property used for religious or charitable purposes, (c) property of persons permitted to reside in the country, where the property is located, or elsewhere in United Nations territory, (d) property rights arising since resumption of trade or from transactions after the Armistice, (e) literary and artistic property rights, and (f) property in ceded territories not taken as reparation.

*Section III—Declaration in Respect of Claims*.—By Article 80 the Allied and Associated Powers declare that their claims against Italy have been settled by other clauses of the Treaty.

*Section IV—Debts*.—Article 81 makes provision for continuance of pre-war obligations.

## PART VIII—GENERAL ECONOMIC RELATIONS

Article 82 requires that for a period of 18 months Italy shall, on a reciprocal basis, (a) grant most favored nation treatment to United Nations and their nationals, (b) make no arbitrary discrimination against their goods, (c) grant no exclusive or discriminatory rights in respect to commercial aviation and (d) afford equality of opportunity in obtaining international commercial aviation rights and extend the right to fly over Italian territory.

## PART IX—SETTLEMENT OF DISPUTES

Article 83 establishes provision for Conciliation Commissions to settle disputes in connection with restitution and restoration of United Nations property.



## Part X—MISCELLANEOUS ECONOMIC PROVISIONS

Articles 84 and 85 relate to the scope of application of the economic articles and the legal form of the economic annexes.

## Part XI—FINAL CLAUSES

Articles 86 and 87 authorize the Ambassadors in Rome of France, the United Kingdom, the United States and the Soviet Union acting in concert to represent all the Allied Powers in matters relating to the interpretation of the Treaty for a period of 18 months, and, with no time limit, to settle disputes concerning interpretation or execution of the Treaty. If this method fails, provision is made for special commissions for this purpose.

Articles 88–90 provide for accession by other powers, restrict the rights and benefits under the Treaty of those Powers which ratify, and lay down the procedure for signature and the coming into force of the Treaty upon ratification by the Soviet Union, the United Kingdom, the United States and France.

*Economic Annexes*—not specifically referred to in any Article of the Treaty

### *Annex XIV—Economic and Financial Provisions relating to Ceded Territories*

These clauses provide for the orderly transfer of Italian property in these areas, an adjustment with respect to the Italian public debt, the continuance and reassignment of insurance obligations and the return of United Nations property and contains provisions for such matters as property rights including right of removal, restitution

and the disposition of local government property and records.

### *Annex XV—Special Provisions relating to Certain Kinds of Property*

*A.*—Industrial, Literary and Artistic Property clauses establish Allied rights and interests in this form of property.

*B.*—Insurance clauses relate to resumption of insurance business.

### *Annex XVI—Contracts, Periods of Prescription and Negotiable Instruments*

The special clauses relating to the foregoing do not apply as between the United States and Italy.

### *Annex XVII—Prize Courts and Judgments*

*A.*—*Prize Courts*—This Section provides for a review of all Italian Prize Court decisions in cases involving ownership rights.

*B.*—*Judgments*—This Section likewise provides for a review of court judgments after the outbreak of the war when a United Nations national involved was unable to make adequate presentation of his case.

## Treaty of Peace with Roumania (Summary)

*The Preamble* is similar to the preamble of the Italian Treaty, recites the events leading up to the Armistice of September 12, 1944, and expresses the willingness of the Allied and Associated Powers to conclude the present Treaty and to support Roumania's application to become a member of the United Nations.

## Part I—FRONTIERS

*Articles 1–2* establish Roumania's frontiers as those existing on January 1, 1941, shown on the map contained in Annex I, which confirm the transfer of Southern Dobruja to Bulgaria, recognize Soviet sovereignty over Bessarabia and Northern Bucovina, and restore Transylvania to Roumania.

## Part II—POLITICAL CLAUSES

*Section I*—Articles 3–6 provide (a) the assurances of human rights and fundamental freedoms, (b) guarantees of non-discrimination on account of race, sex, language or religion, (c) non-persecution of racial minorities and United Nation sympathizers, (d) abolition of Fascist organizations, and (e) surrender of war criminals and traitors.

*Section II*—Articles 7–10 contain clauses similar to those in the Italian treaty which provide for the recognition of the peace settlements and of the liquidation of the League of Nations and for the renewal of pre-war Treaties. Provision is also made for the termination of the state of war with Hungary.

## Part III—MILITARY, NAVAL AND AIR CLAUSES

*Section I*—Articles 11–19 (a) establish personnel limitations of 120,000 for the Army, 5,000 for anti-aircraft artillery, 5,000 for the Navy, and 8,000 for the Air Force with a 15,000 tons limit for the Navy and 150 aircraft for the Air Force and limit training to the above personnel, (b) prohibit atomic weapons, guided missiles, sea mines, submarines, M. T. B.'s and assault craft, (c) provide for disposal of surplus war

material, (d) assure Roumanian cooperation for prevention of German re-armament, and (e) provide that the treaty restrictions remain in force until modified by agreement. *Annexes II and III* contain the standard definitions of the terms used in this Part.

*Section II*—Article 20 requires prompt repatriation of Roumanian prisoners of war.

## Part IV—WITHDRAWAL OF ALLIED FORCES

*Article 21* calls for the withdrawal within 90 days of all Allied forces and the return of goods in their possession, subject to the right of the Soviet Union to maintain troops on the line of communication with its occupation forces in Austria.

## Part V—REPARATION AND RESTITUTION

*Article 22* provides for reparation to the Soviet Union in the amount of \$300,000,000 payable in commodities over a period of eight years.

*Article 23* provides for the restitution by Roumania of identifiable property removed from United Nations territory and for the method of presenting claims.

## Part VI—ECONOMIC CLAUSES

*Articles 24–35* contain the standard provisions in respect of (a) United Nations property in Roumania with compensation in local currency for loss or damage equivalent to  $\frac{2}{3}$  of the value of the property, including a special provision for ships, not needed in the other treaties, (b) Roumanian property in the territory of the Allied and Associated Powers with the same exceptions from sequestration excluding, however, the inapplicable clause relating to ceded territories, (c) Renunciation of Claims including res-



titution of property in Germany, (d) Debts, (e) General Economic Relations including commercial aviation clauses, (f) Settlement of Economic Disputes, and (g) Miscellaneous Economic Clauses. In addition, the Roumanian Treaty calls for restoration of property and rights of minorities discriminated against in Roumania with fair compensation if restoration impossible and for transfer to appropriate organizations if property unclaimed or heirless. The right of the Soviet Union to German assets in Roumania is specifically recognized. Article 33 relates to settlement by conciliation and arbitration of disputes arising in connection with prices paid by the Roumanian Government for goods delivered for reparations and acquired from an Allied national.

#### Part VII—DANUBE

*Article 36* provides for freedom of navigation on the Danube (the declaration relating to the Conference to be held on this subject having been approved by the Council of Foreign Ministers and published on December 6, 1946).

#### Part VIII—FINAL CLAUSES

*Articles 37–40* contain the provisions relating to the interpretation of the Treaty, settlement of disputes, accession by other States, and the coming into force upon ratification by the United States, the United Kingdom, and the Soviet Union.

*Annexes IV, V and VI* contain the standard clauses relating to (a) Industrial, Literary and Artistic Property, (b) Insurance, (c) Contracts, Periods of Prescription and Negotiable Instruments, (d) Prize Courts, and (e) Judgments.

## Treaty of Peace with Bulgaria

### (Summary)

The Treaty of Peace with Bulgaria in general contains the same provisions as the Treaty with Roumania. The differences are noted as follows:

*Article 1* establishes the frontiers as of January 1, 1941, which include Southern Dobruja transferred from Roumania in August 1940.

No specific clauses relating to non-discrimination against the racial minorities or return of property were deemed necessary in the light of Bulgaria's record of non-persecution.

*Article 9* sets the limits for Bulgarian Armed Forces at 55,000 for the Army, 1,800 for anti-aircraft artillery, 3,500 for the Navy, and 5,200 for the Air Force with a 7,250 tons limit for the Navy and 90 aircraft for the Air Force.

*Article 12* prohibits the construction on the north side of the Greco-Bulgarian frontier of permanent fortifications and military installations capable of being employed for firing into Greek territory.

*Article 20* calls for complete withdrawal of all Allied forces and return of goods in their possession, no exceptions being necessary in this case.

*Article 21*—Reparation in the amount of \$45,000,000 to Greece and \$25,000,000 to Yugoslavia is provided, payable in kind from products of manufacturing and extractive industries and agriculture over a period of eight years, deliveries to be regulated by agreement with Greece and Yugoslavia. Valuation is to be made on basis of 1938 international market prices with a percentage increase.

*Article 30* provides that Bulgaria should facilitate railway transit traffic through its territory and negotiate the necessary agreement for this purpose.

*Annex VI* omits the clauses relating to Prize Courts as inapplicable in this instance.

## Treaty of Peace with Hungary

### (Summary)

Like the Bulgarian Treaty, the Treaty of Peace with Hungary in general contains the same provisions as the Treaty with Roumania. The differences between the Roumanian and Hungarian Treaties are, however, noted as follows:

*Article 1* re-establishes the frontiers of Hungary with Austria and with Yugoslavia as those which existed on January 1, 1938. It liquidates the Vienna Award of 1940 and restores Transylvania to Roumania. It establishes a frontier with the Soviet Union in recognition of the transfer of the sub-Carpathian Ukraine from Czechoslovakia to the Soviet Union. It liquidates the Vienna Award of 1938 whereby Hungary received certain territory from Czechoslovakia and restores this territory, together with an increased area across the Danube from Bratislava, providing guarantees of human and civic rights for the population of the ceded area.

*Article 5* provides that negotiations shall take place between Czechoslovakia and Hungary to settle the problem of the Magyars residing in Czechoslovakia, and that, if no agreement is reached in 6 months,

Czechoslovakia shall be entitled to ask the Council of Foreign Ministers to effect a final solution.

*Article 11* requires Hungary to deliver certain categories of cultural property and records to Yugoslavia and Czechoslovakia.

*Article 12* sets the limits for personnel of the Hungarian Army, including frontier troops, anti-aircraft and river flotilla personnel at 65,000 and the personnel of the air force at 5,000 with 90 aircraft.

*Article 22* which calls for the withdrawal of all Allied forces within 90 days also contains the reservation in respect of the right of the Soviet Union to maintain troops on line of communication with its occupation forces in Austria.

*Article 23* provides for reparation to the Soviet Union in the amount of \$200,000,000 and \$100,000,000 to Czechoslovakia and Yugoslavia payable in commodities over a period of 8 years.

*Article 25* calls for the annulment of the legal consequences of the Vienna Award entailed in the return of territory to Czechoslovakia.

*Article 26* contains the standard clauses relating to return of property to the United Nations and their nationals and to compensation in the event of loss or damage and extends these provisions to cover such property in Northern Transylvania during period when it was subject to Hungarian authority.

*Article 34* provides that Hungary should facilitate railway transit traffic through its territory and negotiate the necessary agreements for this purpose.

*Annex VI* omits the clauses relating to Prize Courts as inapplicable.



# SUPREME ALLIED AUTHORITY IN THE FEDERAL REPUBLIC OF GERMANY: CHARTER OF ALLIED HIGH COMMISSION JUNE 20, 1949

## *I. Establishment of Allied High Commission and Transfer of Control*

1. An Allied High Commission (hereinafter referred to as the High Commission) is hereby established for the exercise of Supreme Allied Authority in the Federal Republic of Germany. The High Commission shall be headed by three High Commissioners, one designated by each of the three powers signatory hereto.

2. As from the date of the entry into force of the Occupation Statute all authority with respect to the control of Germany or over any governmental authority thereof, vested in or exercised by the respective Commanders-in-Chief of the forces of occupation of the three powers in Germany, from whatever source derived and however exercised, will be transferred to the three High Commissioners respectively, to be exercised in accordance with the provisions hereof and of the Occupation Statute.

3. The forces of occupation of the three powers in Germany shall remain stationed in their respective zones of occupation. Command of the forces of occupation in each zone and control of their related military establishments shall remain with the respective Commanders of the forces of occupation in such zones.

4. Legislation of the occupation authorities enacted before the effective date of the Occupation Statute shall remain in force until repealed or amended or otherwise replaced as provided in the Occupation Statute.

## *II. Functions of the High Commission*

1. The High Commission shall exercise control over the Federal Government and the Governments of its constituent Laender as provided in the Occupation Statute. In the exercise of the powers reserved to the occupation authorities under said Statute, the High Commission shall reach its decisions in accordance with the provisions of the "Agreement as to Tripartite Controls" among the Three Powers dated 8 April 1949 and attached hereto and made a part of this instrument as Annex A. These decisions shall constitute a joint exercise of the authority of all of the three High Commissioners.

2. The High Commission shall act only through the Federal or appropriate Land Government except where direct action or legislation by the High Commission is necessary or appropriate for the due exercise of any of the powers reserved to the occupation authorities under the Occupation Statute.

3. The Headquarters of the High Commission shall be at the seat of the German Federal Government which, together with a surrounding area to be defined, will constitute a special area directly under the High Commission and excluded from any individual zone of occupation. The necessary special arrangements in connection with the definition and administration of this area in as far as they concern the Allies will be determined subsequently by the High Commission.

### III. *Organization of the High Commission*

1. The organization of the High Commission at its headquarters shall be tripartite in character and shall consist of:

A. An Allied Council (hereinafter referred to as "The Council") composed of the three High Commissioners. Each High Commissioner shall nominate a Deputy or permanent representative who will take his place on the Council in his absence. The Deputies or permanent representatives of the respective High Commissioners acting together may function as an Executive Committee of the Council if the Council so decides;

B. Such committees or bodies as the Council may from time to time establish. These committees and bodies shall advise the Council in their respective spheres and shall exercise such executive functions as the Council may delegate to them. The number, functions, and organization of such committees or bodies may be changed, adjusted, or eliminated entirely by the Council in light of experience. Subject to the above, in order to ensure continuity of operation, the Council initially shall be assisted by Committees respectively for Political Affairs, Foreign Trade and Exchange, Finance, Economics, Law and by the Military Security Board. Each Committee shall be assisted by such associated staff as it may require and as the Council approves.

C. Allied General Secrétariat.

#### 2. The Council

A. The Council shall constitute the supreme authority of the High Commission. The Council shall meet as frequently as it considers necessary and at any time upon the request of any of its members. The Chairmanship of the Council and its various com-

mittees shall be held in monthly rotation by each of its members. The Council shall fix the time and place of its meetings and shall establish appropriate rules and procedures for the conduct of its business. Decisions of the Council shall be reached in accordance with Annex A hereof.

#### 3. Committees

The composition of each Committee and its terms of reference shall be fixed by the Council. Initially, such Committees, together with their respective terms of reference, shall be as follows:

A. The Political Affairs Committee, consisting of the three Political Advisers to the respective High Commissioners will be concerned with all political and foreign affairs of the German Federal and Land Governments coming within the competence of the Council.

B. A Foreign Trade and Exchange Committee consisting of the respective Economic and Finance Advisers of each of the High Commissioners.

(1) The Committee shall observe the economic, financial and foreign trade policies of the German authorities and shall advise the Council if such policies or any action taken or proposed to be taken pursuant thereto is likely to have such adverse effect on the foreign trade or foreign exchange resources of the German Government as is likely to increase its need for external assistance.

(2) The members of the Committee shall automatically be members of the Board of Directors of the Joint Export-Import Agency (hereinafter referred to as "JEIA") and in conjunction with the other Directors



shall be charged with the orderly liquidation of JEIA at the earliest practicable date. The Committee shall assume any control functions presently exercised by JEIA as may warrant retention when the liquidation of JEIA is completed.

- (3) It is understood that the German Federal Republic will become party to the convention for European Economic Cooperation and will execute a bilateral agreement with the Government of the United States. It is further understood that thereafter the functions of the High Commission in respect of the matters referred to in (I) will be appropriately modified.

C. The Economics Committee, consisting of the three Economics Advisers to the respective High Commissioners, shall observe the general economic policies of the German authorities and shall advise the Council as to the exercise of its powers in this connection reserved under the Occupation Statute. The Committee shall advise the Council on all matters relating to the Decartelization and Deconcentration of German industry.

D. The Finance Committee, consisting of the three Finance Advisers to the respective High Commissioners, shall observe the general financial policies of the German authorities, and shall advise the Council as to the exercise of its powers in this connection reserved under the Occupation Statute. To the extent necessary within the limits of the provisions of the Occupation Statute the Finance Committee shall succeed to and shall assume the functions heretofore exercised by the Allied Bank Commission.

E. The Law Committee, consisting of the Legal Advisers to the respective High Com-

missioners, shall advise the Council and its committees on all legal and judicial affairs arising out of the work of the High Commission.

F. The Military Security Board shall deal with all matters of demilitarization, disarmament, industrial prohibitions and limitations, and scientific research, in accordance with its existing terms of reference.

#### 4. Committee Staffs and Subordinate Groups

A. Within numerical limitations established by the Council, each of the committees designated pursuant to paragraph 3 of this Article III shall establish such tripartite subordinate committees or other groups as may be necessary to the performance of its functions and as the Council may approve.

B. Except as specifically otherwise provided in subparagraph C of this paragraph 4, personnel for such subordinate committees or groups shall be appointed by each of the High Commissioners on a basis of parity among the three Allied nations. They may include military personnel. The number, functions and organization of such subordinate committees or groups may be changed, adjusted or eliminated entirely by the Council in the light of experience. Each subordinate committee or group shall be answerable to the committee responsible for its creation and shall report to the Council through such committee. Each subordinate agency shall be physically located at the headquarters of the High Commission except as may be otherwise determined by the Council.

C. The subordinate committees and groups established pursuant to subparagraph A of this paragraph 4 shall include:

- (1) Joint Export-Import Agency which, until liquidated as provided in subparagraph B of paragraph 3 hereof, shall function under its existing terms of reference with an integrated staff and shall report to the Committee on Foreign Trade and Exchange through its Director General who, together with the Deputy Directors-General, shall be members of the Board of Directors of JEIA.
- (2) The Decartelization and Industrial Deconcentration Group, the Coal Control Group and the Steel Control Group, all of which shall report through the Economics Committee.
- (3) The Combined Travel Board which shall report through the Political Affairs Committee.
- (4) Civil Aviation Board which shall report as determined by the Council.
- (5) Information and Cultural Affairs Subcommittee which shall report through the Political Affairs Committee.
- (6) A subcommittee on foreign interests which shall report as determined by the Council.

#### 5. Allied General Secretariat

The High Commission shall be served by a Tripartite General Secretariat. The Secretariat will receive and dispatch all communications to or from the High Commission, prepare the agenda and materials for the meetings of the Council and shall keep the minutes of their meetings. The Secretariat or its appropriate branches shall act as the channel of communication between the High Commission and the agencies of the Federal Government, and between the Council and the several Land

Commissioners with respect to matters affecting said Land Governments. The Secretariat shall maintain the records of the High Commission and be responsible for such other tasks as the Council may decide.

#### IV. *Land Commissioners*

1. All powers of the High Commission shall be uniformly exercised in the constituent Laender of the Federal Republic, in accordance with tripartite policies and the directions of the Council.

2. To achieve uniformity in the exercise of its powers, the High Commission shall be represented at the seat of government of each of the constituent Laender by an Allied Land Commissioner who shall be solely responsible to the Council for ensuring due compliance on the part of the Land authorities with the Council's decisions and directives. The Land Commissioner shall report and be solely responsible to the Council for all matters of tripartite concern in the Land and shall be the exclusive channel of communication and liaison between the Council and the Land Government with respect to such matters.

3. In particular, each Land Commissioner shall be responsible to the Council for:

A. Initial consideration and prompt transmittal to the Council of Land legislation, together with his recommendations thereon;

B. observing and ensuring due compliance on the part of the Land Government with the provisions of the Federal and Land constitutions, the Occupation Statute and the laws of the occupation authorities in force;

C. providing information as required by the Military Security Board and giving all



necessary assistance to the inspectorate of the Military Security Board and such other bodies as may be authorized by the Council;

D. the preparation of such periodic or special reports as the Council may request.

4. Each Land Commissioner and the members of his staff shall be nationals of the Power in whose zone the Land is situated, and shall be appointed by and administratively responsible to the High Commissioner designated by such Power. Each Land Commissioner shall be accountable exclusively to his High Commissioner and shall be his channel of communication and liaison with the Land Government with respect to:

A. All matters which are listed in Article V, paragraph 2;

B. conduct of all relationships between the forces of occupation stationed in the Land and the governmental agencies thereof except to the extent that direct communications and relations may be authorized by him.

5. Each High Commissioner shall designate an observer together with a small personal staff to be agreed in each case by the High Commissioners concerned, to each of the Land Commissioners outside of his own Zone for purposes of consultation and information.

## *V. Individual Responsibilities of the High Commissioners*

1. Each High Commissioner shall maintain at the seat of government of each of the Laender in his zone a Land Commissioner with the minimum staff and facilities required for the purposes set forth in Articles IV and V hereof. He shall ensure the due implementation by each of said Land Commissioners of the decisions and directions of

the Council. He shall also ensure that all powers of the High Commission are uniformly exercised within said Laender in accordance with tripartite policy and the decisions of the Council.

2. Each High Commissioner shall be responsible to his government with respect to the Laender of his zone for the matters in fields reserved to the occupation authorities listed below. Nevertheless, so far as possible, he shall coordinate the general policies which he may pursue in these fields with those of the other High Commissioners and exercise these powers in accordance with such tripartite legislation or policies as the Council may adopt.

A. Maintenance of law and order if the responsible German authorities are unable to do so;

B. ensuring the protection, prestige, security and immunities of the Allied forces of occupation, of the Allied occupation authorities, their dependents, employees and official representatives;

C. the delivery of reparations and res- titutable property;

D. care and administration of displaced persons;

E. the disposition of war criminals;

F. administration of justice in cases fall- ing within the jurisdiction of Allied courts;

G. control of the care and treatment in German prisons of persons charged before or sentenced by the courts or tribunals of the occupation authorities, over the carrying out of sentences imposed on them and over question of amnesty, pardon or release in relation to them.

3. Each High Commissioner shall be in- dividually responsible for the formulation annually in accordance with tripartite policies and criteria, of a budget of occupa-

tion costs and other requirements within his zone. Such budget shall be formulated and submitted to the Council on a date to be determined by it for consideration and approval by the Council and for consolidation in a total budget of the occupation authorities for transmission to the German Government. Each High Commissioner shall be responsible to the Council for control of the approved budget for his zone in accordance with accounting standards and procedures established by the Council.

#### VI. *Decisions of the Council*

1. Formal decisions and directions of the Council affecting the Federal Government or any agency thereof shall be in writing and shall be communicated to the Chancellor by or on behalf of the Council.

2. Formal communications involving matters of lesser import or of a routine character may be addressed to the Minister concerned by the appropriate organ of the Council.

3. Formal decisions or directions of the Council affecting a Land Government or any agency thereof shall be in writing and shall be communicated to its Minister President through the Land Commissioner, in the name of the Council.

4. Formal decisions of the Council shall be recorded in an official gazette maintained by the High Commission at the Allied seat of control in Germany, which shall be published in the English, French, and German languages. Publication of any such decision in the official gazette of the High Commission shall be conclusive evidence that the recorded action or decision was taken pursuant to the powers vested in the occupation authorities under the Occupation Statute.

#### VII. *International Authority for the Ruhr*

The High Commission shall take all necessary steps to give effect to Article XXII of the agreement establishing the International Authority for the Ruhr of April 28, 1949.

#### VIII. *Foreign Missions in Germany*

The necessary liaison with the governments of other nations especially interested will be ensured by the appointment by such governments of appropriate missions to the Council of the High Commission having access, by procedures to be determined, to its subordinate bodies and to the German Government.

#### IX. *United Nations Organizations in Germany*

United Nations organizations and specialized agencies may operate in the Federal Republic of Germany on such terms as may be agreed by the Council.

#### X. *Official Languages*

The official languages of the High Commission shall be English and French. Authoritative German texts of documents shall be provided as necessary.

IN WITNESS WHEREOF the foregoing agreement has been duly executed by the respective representatives thereunto duly authorized of the Governments of the United Kingdom of Great Britain, the United States of America and the Republic of France, in triplicate in the French and English languages, each text being equally authentic and shall come into effect on the date of the entry into force of the Occupation Statute.

PARIS

20th June, 1949.

[Signed at Paris by Secretary of State Acheson, Foreign Minister Bevin, and Foreign Minister Schuman on behalf of their governments.]



# LONDON CONFERENCE OF FOREIGN MINISTERS OF THE UNITED STATES, UNITED KINGDOM, AND FRANCE

## Communiqué on Germany, May 13, 1950 (Excerpt)

The three Foreign Ministers of Great Britain, France and the United States concluded today their discussions which began on Thursday.

These discussions dealt with many of the problems in various parts of the world where the interests of their countries are engaged. Their main and common purpose has been directed towards reducing the risks of war and establishing the conditions of a lasting peace in accordance with the desire of all peoples. In view of the Ministers this requires a closer coordination in the employment of their joint resources to underpin their economies in such a manner as to permit the full maintenance of their social and material standards as well as the adequate development of the necessary defence measures. The Ministers are confident that the peoples of the free world who command by far the greater part of the industrial and technical resources of mankind can achieve both of these aims.

The strength of the free world will never

be used for aggressive purposes. The Ministers find it necessary to restate this fundamental truth in the face of the calculated campaign of misrepresentation of our purposes and policies conducted by the only militaristic and aggressive power in the world.

Faith in freedom should not be taken for granted but should be built into a dynamic force and steps should be taken to increase public understanding of the exact methods and dangers of the threat to its existence.

The Ministers agreed upon the main lines of their policy in all parts of the world. Consideration was given to their policy regarding Germany and they agreed upon a general declaration in regard to it. This is being communicated immediately to the German Federal Government and will be published on Monday, May 15. The Ministers reaffirmed their long-declared desire for an early Austrian treaty and hoped to have a further exchange of views on this subject in the next few days.

## Joint Declaration on Germany, May 14, 1950

Following is the text of a Joint Declaration on Germany issued at London today by Messrs. Bevin, Schuman, and Acheson:

"1. Following the London agreements of June 1948 and the Washington agreements

of April 1949, the United States of America, France and the United Kingdom replaced the military authority and the direct administration of the occupied territories in force since 1945 by a civilian regime simply of

supervision. By virtue of this regime Germany was able to produce a constitution, proceed to free elections, call a parliament, form a government and elect a federal president. The Federal Government and the governments of the laender were able to take over the administration and control of internal German affairs.

"Furthermore, by the agreement of April 13, 1949, the allies decided to ease the burden of reparations on Germany. Some months later under the Petersburg protocol an agreement was reached for a final settlement in regard to the delivery of plant by way of reparations.

"In the domain of foreign relations the Petersburg protocol made provision for the appointment of German consular and commercial representatives abroad. During the last few months steps have been taken by the western powers to secure the accession of the Federal Republic to a number of international organizations including the Organization for European Economic Cooperation.

"The progress made has been accomplished in large measure thanks to the action and the influence of the three allied High Commissioners in whom the three Foreign Ministers are happy again to express their full confidence.

"2. The allies are resolved to pursue their aim laid down in the Washington agreement of April, 1949, and reaffirmed at Petersburg that Germany shall re-enter progressively the community of free peoples of Europe. When that situation has been fully reached she would be liberated from controls to which she is still subject and accorded her sovereignty to the maximum extent compatible with the basis of the occupation regime. This regime is imposed on

the Germans and on the allies by the consequences of the division of Germany and of the international position. Until this situation is modified it must be retained in accordance with the common interests of Germany and of Europe.

"The western powers desire to see the pace of progress towards this end as rapid as possible. Progress will depend upon the degree of confident and frank cooperation displayed by the government and the people of the Federal Republic. In the first place the pace will be determined by the extent to which the allies can be satisfied that their own security is safeguarded by the development in Germany of a desire for peace and friendly association with themselves. In the second place the pace will be set by the rate at which Germany advances towards a condition in which true democracy governs and the just liberties of the individual are assured. Therefore, the western powers wish to emphasize most strongly that the natural desire of the German people to secure relaxation of controls and the restoration of the sovereignty of their country depends for its satisfaction only upon the efforts of the German people themselves and of their government. They earnestly trust that the Federal Republic will fulfill in this respect the hopes placed in the wisdom of her people and her leaders. Meanwhile, the High Commissioners in exercising the powers reserved to them will continue to place their main emphasis upon essential elements of security and fundamental democratic issues of real importance.

"3. In view of the continued refusal of the Soviet Government to permit the inhabitants of their zone of occupation to re-join their fellow countrymen in a demo-



cratic and united Germany, it has not been possible, and will not be as long as this Soviet policy persists, to proceed to the conclusion of a treaty of peace with Germany. The Ministers accordingly agreed to set up a study group in London to undertake the necessary preparatory work to enable the occupation statute to be reviewed at the appointed time and to make recommendations for eliminating the major practical inconveniences arising in the countries concerned from the state of war, on the understanding that in the present situation of Europe supreme authority must remain in the hands of the allied powers.

“4. While retaining the framework out-

lined above the allies intend to give Germany the possibility of developing freely, while at the same time safeguarding the possibility of peaceful reunification of Germany, which remains the ultimate object of their policy. The three governments reaffirm the offers which were formulated during the meeting of the Council of Foreign Ministers last June, and express the hope that the necessary conditions for the establishment of a government for all Germany may be achieved which would guarantee to all Germans respect for their laws and fundamental liberties and they have agreed upon the conditions which are necessary in their opinion for this purpose.”

## NEW YORK CONFERENCE OF FOREIGN MINISTERS OF THE UNITED STATES, UNITED KINGDOM, AND FRANCE

### Communiqué on Western Germany, September 19, 1950

The Foreign Ministers have reviewed the situation in Germany and Allied relations with the Federal Republic, in the light of developments since their last meeting in London in May 1950. They have taken into account in their examination the views which have been expressed on recent occasions by the Government of the Federal Republic.

They and their Governments share the desire of the German people for the unification of Germany on a basis which respects the fundamental liberties. Despite their efforts to achieve this end, it will obviously not be realized so long as the Soviet Union

continues to ignore proposals for democratic all-German elections, and to stage controlled elections such as the one to be held in the Soviet zone on October 15. Pending the unification of Germany, the three Governments consider the Government of the Federal Republic as the only German Government freely and legitimately constituted and therefore entitled to speak for Germany as the representative of the German people in international affairs.

They reaffirm their desire, of which they have already given many proofs, to integrate the Federal Republic into the community of free nations. They are convinced that

the overwhelming majority of the German people want to take part in building the European community, and in strengthening its common civilization. It appears to them that the time has now come to take a new step toward the attainment of these aims.

### *Termination of State of War*

In the spirit of the new relationship which they wish to establish with the Federal Republic, the three Governments have decided, as soon as action can be taken in all three countries in accordance with their respective constitutional requirements, to take the necessary steps in their domestic legislation to terminate the state of war with Germany.

This action will not affect the rights and status of the three powers in Germany, which rest upon other bases. It will, however, create a firmer foundation for the developing structure of peaceful and friendly relationships and will remove disabilities to which German nationals are subject. It is hoped that other nations will find it possible to take similar action in accordance with their own constitutional practices.

The three Ministers have given serious consideration to the problem of the security of the Federal Republic in both its external and its internal aspects. They recognize the fact that outright military units have been created in the Soviet zone of occupation and this fact together with recent events in Germany and elsewhere have given rise to a situation of great concern.

The Allied Governments consider that their forces in Germany have in addition to their occupation duties also the important role of acting as security forces for the protection and defense of the free world, in-

cluding the German Federal Republic and the Western sectors of Berlin. To make this protection more effective the Allied Governments will increase and reinforce their forces in Germany. They will treat any attack against the Federal Republic of Berlin from any quarter as an attack upon themselves.

The Ministers are fully agreed that the re-creation of a German national army would not serve the best interests of Germany or Europe. They also believe that this is the view of the great majority of the German people.

The Ministers have taken note however of sentiments recently expressed in Germany and elsewhere in favor of German participation in an integrated force for the defense of European freedom. The questions raised by the problem of the participation of the German Federal Republic in the common defense of Europe are at present the subject of study and exchange of views.

As regards internal security, the Foreign Ministers recognize the necessity for insuring that the German authorities are enabled effectively to deal with possible subversive activities. To this end, the Foreign Ministers have agreed to permit the establishment of mobile police formations organized on a land basis but with provisions which would enable the Federal Government to have adequate powers to make effective use of all or part of this force in order fully to meet the exigencies of the present situation. The High Commission and the Allied Forces in Germany will render such assistance as may be feasible in the rapid establishment of this force.

### *New Phase in Relations With Germany*

The new phase in the relations between the Allies and the Federal Republic will be



marked by major extensions of the authority of the Federal Government. To make this possible, the occupying powers are prepared to amend the Occupation Statute while maintaining the legal basis of the occupation, and the Federal Republic will be expected to undertake certain commitments and other actions consonant with its new responsibilities.

In the field of foreign affairs, the Federal Government will be authorized to establish a Ministry of Foreign Affairs and to enter into diplomatic relations with foreign countries in all suitable cases. In other fields, and particularly in relation to internal economic matters, far-reaching reductions will be made in existing controls, and the present system of review of German legislation will be modified. In certain cases, the Allied powers will cease as soon as the Federal Government has given undertakings or taken suitable action. The High Commission will promptly begin discussions with the Federal Government to work out the necessary agreements for such undertakings.

The Foreign Ministers have also agreed that a review of the prohibited and limited industries agreement shall be undertaken in the light of the developing relationships with the Federal Republic. Pending this review the High Commission has been instructed to remove forthwith all restrictions

on the size, speed, and number of commercial cargo ships built for export and to allow steel to be produced outside the present limitation where this will facilitate the defense effort of the west.

### *Tribute to People of Berlin*

The three Governments pay tribute to the continued steadfastness of the people of Berlin in the valiant struggle of the city to preserve its freedom. They will continue to oppose aggression in any form against the people of the city, and are taking steps to strengthen Allied forces there. In view of the heavy price Berlin has had to pay to defend its freedom, the Governments will continue their efforts to alleviate its economic situation. They have directed the High Commission to review the statement of principles governing the relationship between the Allied Kommandatura and Berlin, and to liberalize Allied controls in the city to the maximum extent practicable.

These decisions mark an important stage in the normalization of the relations and should contribute toward the creation of an atmosphere of mutual confidence and understanding. They represent a major advance toward the progressive return of Germany to partnership in Western Europe and the consolidation of the Western nations in their efforts to establish a firm basis for the future peace of Europe and the world.

# IMPLEMENTATION OF NEW YORK DECISIONS ON GERMANY

[Department of State press release, March 6, 1951]

Following is a communiqué, two background statements, and exchange of letters between the Allied High Commission and Chancellor Adenauer of the German Federal Republic in implementation of the de-

cisions on Germany of the Foreign Ministers at their September 1950 meeting in New York City. The instrument of revision and other documents concerned with the implementation of the New York decision are being published today, March 6, but will enter into force on March 7, 1951.

## High Commission communiqué on implementation of New York decisions

Important measures which arise from the decisions taken by the Foreign Ministers at their September 1950 meeting in New York are being published today. These measures mark an important step in the development of normal relations between the Governments of France, Great Britain and the United States and the Government of the Federal Republic. Further measures to this end should result from the decisions taken by the Foreign Ministers in Brussels in December 1950, to proceed in negotiations with representatives of the Federal Republic toward the establishment of contractual relations in connection with the association of Germany in the common defense effort of the West.

The following are the most important of the measures announced today.

In order to accelerate the integration of the Federal Republic in the community of free nations, the Allied High Commission has approved the immediate establishment of a Federal Ministry of Foreign Affairs and has authorized the Federal Government to enter into direct diplomatic relations with

friendly nations and to exchange diplomatic representatives with them. Foreign diplomatic and consular representatives on Federal territory will normally be accredited to the Federal Republic.

The High Commissioners have promulgated a first instrument of revision of the Occupation Statute in which certain reserved powers are given up or are reduced. For example, the powers of the High Commission in the field of internal action under paragraph 2H of the statute are given up, while powers in respect of foreign trade and exchange are considerably reduced. Furthermore, Federal and land legislation will no longer be subject to prior review by the Allied High Commission before coming into force.

In furtherance of the re-establishment of the German public and private credit in the world an agreement has been reached between the Federal Government and the governments of the three occupation powers by which the former confirms its responsibility for the pre-war external debts of the German Reich and acknowledges the debts



arising out of the assistance furnished to Germans by the Allied Governments since 8 May 1945. This agreement will in due course be laid before the Bundestag for ratification. The three powers have in return indicated that the debt settlement will be a negotiated one in which the interested parties, debtors and creditors as well as the governments concerned, including the Federal Government, will take part. It is also agreed that in establishing the amount and manner of payment of the German external debts consideration will be given to the general situation of the Federal Republic, in particular its capacity to pay and its territorial limitations.

## Background information on revision of Occupation Statute

Following should be read in conjunction with the communiqué by HICOM on revision of the Occupation Statute and associated documents also published today.

### *Implementation of New York Decisions*

Following assurances from the Federal Government, important group of occupation controls has been relaxed today. Assurances concern external indebtedness of former German Reich and responsibility for post-war economic assistance, and Federal Government willingness to cooperate in equitable distribution of defense materials and services. Relaxation of occupation controls is embraced in the instrument of revision of the Occupation Statute and the decision relating to foreign affairs.

As soon as specific conditions have been fulfilled, further progressive transfers of authority to the Federal Republic will take place in the following fields:

In order to make an essential contribution to international cooperation, the Federal Government has also given a written understanding to the Allied High Commission that it is prepared to cooperate in the equitable apportionment of materials, products and services which are in short supply or required for the common defense.

Finally the High Commissioners have announced their program for giving up Occupation Statute controls regarding respect for the constitutions, decartelization and deconcentration, and displaced persons and refugees, as soon as certain specified conditions have been fulfilled.

- (i) Respect for federal and land constitutions;
- (ii) Decartelization and deconcentration;
- (iii) Responsibility for displaced persons and refugees.

In preparation for today's action, the Allied High Commissioners on 23 October 1950, addressed two letters to the Chancellor defining commitments which the Foreign Ministers considered that the Federal Government should undertake consonant with its new responsibilities.

### *Financial Responsibilities of Federal Government*

Letter to Chancellor states three governments view that at time when Federal Government assumes responsibility for conduct of its foreign relations, status of its obligations towards other countries should be

clarified. Federal Government was, therefore, asked:

(i) To assume responsibility for the pre-war debt of the Reich;

(ii) To acknowledge the debt to the three occupation powers for postwar economic assistance and to affirm priority of these claims over other categories;

(iii) To express the desire to resume payment of the German external debts, including interest payments and other charges falling due between March 1948 and May 1945 on securities of Government of Austria, and to cooperate in plan for settlement of public and private claims against Germany and German nationals.

Federal Government has given general assurance on these matters.

### *Negotiation of International Agreements and on Status of Foreign Missions and Consulates*

HICOM has also revised procedure for negotiation of international agreements and has made new arrangements concerning status of foreign missions and consulates in Federal Republic.

Until now, no negotiations of interna-

tional agreements could be opened by federal or land governments without prior approval of HICOM. This restriction is now abolished. HICOM will in future advise and assist German delegates only in respect of those matters which remain in reserved fields. Although final texts of international agreements will still be subject to a 21-day scrutiny by HICOM, they will now be disapproved only if they are prejudicial to a final peace settlement, or are incompatible with existing allied legislation or commitments undertaken by occupation authorities on behalf of Germany.

Status of foreign missions and consulates in Federal Republic will henceforth normally be regulated on basis of accreditation to and recognition by Federal authorities instead of HICOM. At present time there are missions from 21 countries and 90 consulates from 32 countries officially recognized in Federal Republic. Diplomatic and consular immunities and privileges will now be granted by Federal authorities. Missions and consulates will have access to HICOM on all matters within reserved fields.

## Background information on debt settlement

At their meeting in September 1950, the Foreign Ministers decided progressively to integrate the Federal Republic into the community of free nations. This integration presupposes, in particular, restoration of Germany's credit and normalization of its economic and financial relationships with other nations, and it is mainly for that purpose that the Foreign Ministers requested that the question of German external debts be settled.

The letter sent to the Federal Chancellor on that subject on 23 October 1950 has given rise to negotiations which have finally culminated in an agreement based on an exchange of letters, copies of which are appended.

The main provisions of this agreement are as follows:

1. The Federal Republic confirms its responsibility for the external debt of the former Reich which for the most part is prior



to the coming into power of the Nazis, and admits in principle, debts derived from post-war economic assistance.

It grants priority to reimbursing debts of the latter category inasmuch as that priority has not been already provided for by previous agreements.

2. The Federal Republic declares itself ready to resume the servicing of German debts and in that connection it is envisaged that a general settlement plan shall be drafted as soon as possible. The conditions and the scope of the obligations of the Federal Republic and of its nationals shall be determined in the course of negotiations at which the various governments and interested parties, including the Federal Government, shall take part. In the drafting of the plan of settlement of private and public debts, the general situation of the Federal Republic shall be taken into account, in particular, its reduced competence, its capacity for payment, as well as the state of its economy.

3. The results obtained in the course of negotiations shall be the basis of a general agreement, notwithstanding however, the fact that particular agreements may be concluded within the framework of the general settlement plan, should such a necessity arise.

COMMENTS: The agreement entered into, provided on the part of the Federal Republic recognition of external debts, with a view to furnishing a legal basis to enable the opening of negotiations and the assurance to take part in these negotiations with a willingness to resume actual payments. It should be stressed that the Federal Republic did not have to furnish any unilateral assurance.

With regard to the form in which the

prewar debts were recognized, this is considered by the Governments of the three occupation powers as being in harmony with the legal position of the Federal Republic as defined by the three Foreign Ministers in New York.

It should be noted that the agreement does not deal with claims arising during the war, since these are to be examined when a peace treaty is concluded or an agreement to take its place. Nevertheless, the High Commission is at present proceeding with the examination of certain claims of this type, the settlement of which is a matter of special urgency.

Moreover, the priority granted to claims arising from postwar economic assistance does not run counter to trade debts arising after 8 May 1945. The governments of the three powers have in addition very clearly signified their intention to forego this priority when the time comes, to the extent necessary to ensure the fair and methodical settlement of prewar claims.

It must not be overlooked that the negotiations will be relatively long and complicated in view of the large number of interested parties, the difference in the interests confronting one another and the necessity of having to settle a number of legal problems before the nominal amount of debts can be fixed with certainty.

For this reason, no final estimate of German debts has as yet been made. At the best it can be stated that the capital amount of prewar securities yielding a fixed income, not yet redeemed and expressed in foreign currency, increased by the total of the standstill credits, is in the nature of a billion dollars (money of account). Moreover, the expenditure incurred by the occupation powers under the heading of postwar assist-

ance to Germany amounts to 3.5 billions of dollars (money of account, approximately).

In conclusion it must not be expected that there will be a settlement either in the very near future or in its entirety of public and private German debts, but the agreement reached nevertheless represents considerable progress, since it bears witness to the willingness of the Federal Government

to honor its commitments to the furthest possible extent, and assures the claimants that the settlements will be made in accordance with an overall plan dealing with the problem of German debts in an ordered and fair manner. In this connection it should strengthen the external credit of the Federal Republic and enable it to follow the path of economic recovery.

. . . . .

## Program for the revision of occupation controls

In implementation of the decisions taken by the Foreign Ministers of the United States, the United Kingdom and France at their New York Meeting on 18 September, 1950, the Council of the Allied High Commission, having this day promulgated the "First Instrument of Revision of the Occupation Statute", has decided to adopt the following program for further relaxation of controls under the Occupation Statute:

1. The powers reserved by paragraph 2 (b) relating to deconcentration will be exercised only to ensure completion of Allied programs relating to the steel, coal and motion picture industries, I. G. Farben and the Grossbanken and actions which, as of December 31, 1950, are called for under laws adopted by the Allied High Commission or have been initiated through legal process taken under existing laws. Upon completion of such programs and actions these powers will be relinquished.

2. (a) The powers reserved by paragraph 2 (b) relating to decartelization will be relinquished upon the enactment by the Federal Republic of legislation satisfactory to the Occupation Authorities, including provisions to prevent new concentrations of economic power.

(b) The powers reserved by paragraph 2 (d) relating to displaced persons and the admission of refugees will be relinquished as soon as commitments and other action satisfactory to the Occupation Authorities have been taken by the Federal Government with respect to the admission, care, and protection of displaced persons and refugees, including safeguarding their civil rights, assuring the continued and effective operation of International and Allied agencies established for their care and resettlement, and compensating victims of Nazi persecution.

(c) The powers reserved by paragraph 2 (f) relating to respect for the Basic Law and the Land Constitutions will be relinquished as soon as the Federal Republic has established a judicial authority deemed by the Occupation Authorities to be capable of effectively upholding the civil rights of the individual as defined in the Basic Law.

3. The Occupation Authorities will retain the powers necessary to ensure that the Federal Government carries out commitments undertaken and legislation enacted pursuant to paragraph 2 above and that the essential features of such legislation are maintained.

4. The Council of the Allied High Commission will issue further instruments of revision of the Occupation Statute from time to time as the conditions prescribed by this

Decision for the relinquishment of powers are fulfilled.

5. This Decision shall become effective on March 7, 1951.

## Competence of the Federal Government in the field of foreign affairs

In exercise of the powers reserved by Paragraph 2 (c) of the Occupation Statute as amended by the First Instrument of Revision, the Council of the Allied High Commission decides as follows:

### ARTICLE I

The Federal Government is hereby authorized to establish a Ministry of Foreign Affairs and shall have exclusive responsibility for the choice of the personnel of its diplomatic, consular and trade missions.

### ARTICLE II

The Federal Government may conduct relations with foreign countries subject to the provisions of this Decision.

### ARTICLE III

1. The establishment of diplomatic or consular relations or trade missions shall be subject to the prior approval of the Allied High Commission.

2. The Federal Government may, however, establish without such approval diplomatic missions in those countries, other than the United States of America, France and the United Kingdom, in which prior to the effective date of this Decision it has been authorized to establish consular offices.

3. No prior approval will be required for the establishment of consular offices or trade missions in those countries with which the Federal Government has diplomatic or consular relations.

### ARTICLE IV

The Federal Government is hereby authorized to appoint official agents in the capitals of the United States of America, France and the United Kingdom.

### ARTICLE V

The accreditation and status of foreign missions in the Territory of the Federal Republic will be governed by the following provisions.

(i) Diplomatic missions and consular offices established in the Territory of the Federal Republic will normally be accredited to and recognized by the Federal Republic. In exceptional circumstances they may be accredited to or recognized by the Allied High Commission. In no case will there be a dual accreditation of missions to the Allied High Commission and to the Federal Republic or the issue of exequaturs to consuls by both the Federal Government and the Allied High Commission.

(ii) The accreditation of foreign missions to the Federal Government shall be notified to the Allied High Commission and they will thereafter have access to it in all matters relating to the fields reserved to the Occupation Authorities.

### ARTICLE VI

The Federal and Land Governments shall keep the Allied High Commission informed of any international negotiations. The Allied High Commission may intervene in



negotiations relating to the fields reserved to the Occupation Authorities.

#### ARTICLE VII

The Federal Government shall furnish to the Allied High Commission all appro-

priate information regarding action taken pursuant to the provisions of this Decision.

#### ARTICLE VIII

This Decision shall become effective on March 7, 1951.

### Text of Allied High Commission letter to Federal Republic on equitable apportionment

TO: HIS EXCELLENCY, THE CHANCELLOR  
OF THE FEDERAL REPUBLIC OF GER-  
MANY.

MR. CHANCELLOR,

You will recall that the Foreign Ministers, in their Communiqué on Germany, issued in New York on September 19, 1950, after referring to their willingness to amend the Occupation Statute, stated that "the Federal Republic will be expected to undertake certain commitments and other actions consonant with its new responsibilities."

In view of the fact that the amendments to the Occupation Statute now under active consideration will transfer to the Federal Government certain reserved powers, the exercise of which may become necessary in the interest of the defence effort of the Western Nations, the Allied High Commission hereby requests the Federal Government formally to give an assurance that it will cooperate with the Western Powers in the equitable apportionment of materials, products, and services which are or may be in short supply or required for the common defence.

At the present time it is not possible to determine in detail the areas where shortage can be expected, the Organisations which will be designated to cope with these short-

ages, or the specific measures which the Federal Government might find it necessary to take in the discharge of its obligations. It can be stated, however, that now and in the immediate future the Federal Government is expected to maintain conditions under which Western orders may be freely placed in Western Germany and under which deliveries against these orders will be made in the normal course of events, and not to increase unduly the internal consumption of these goods at the expense of exports. It can also be anticipated that, with the prospective increase in the defence effort of the Western Powers, the Federal Government will be expected to lend support to industries producing critical items in short supply and to institute measures designed to assure, at fair prices, supplies of finished goods, raw materials and services for Western defence requirements in an equitable proportion to Western Germany's internal requirements for consumption and investment and in preference to the import demands of countries outside the Western defence effort.

I beg your Excellency to accept the assurance of my high esteem.

IVONE KIRKPATRICK

*Chairman*

## Text of reply from Chancellor concerning assurances on equitable apportionment of material for com- mon defense

I have received your letter of 23 October 1950, and as requested I hereby confirm that the Federal Government will cooperate in the equitable apportionment of materials, products and services which are or may be in short supply or required for the common defense.

In the spirit of this cooperation, the Federal Republic is in particular prepared:

(A) Not to impose export restrictions on western orders placed in the area of the Federal Republic for the above items, detrimental to the equitable apportionment of said items;

(B) To take measures to prevent inter-

nal consumption of said items from unduly increasing at the expense of exports of said items and to lend support to industries producing the above items;

(C) When the situation requires, to institute measures designed to ensure, at reasonable and non-discriminatory prices, supplies of the above items for western defense requirements in an equitable proportion to the internal requirements for consumption and investment within the area of the Federal Republic and with the appropriate degree of priority over the import demands of countries outside of the western defense effort.

## *Japan*

### SURRENDER BY JAPAN: TERMS BETWEEN THE UNITED STATES AND OTHER ALLIED POWERS AND JAPAN, SEPTEMBER 2, 1945

We, acting by command of and in behalf of the Emperor of Japan, the Japanese Government and the Japanese Imperial General Headquarters, hereby accept the provisions set forth in the declaration issued by the heads of the Governments of the United States, China and Great Britain on 26 July 1945, at Potsdam, and subsequently adhered to by the Union of Soviet Socialist Republics, which four powers are hereafter referred to as the Allied Powers.

We hereby proclaim the unconditional

surrender to the Allied Powers of the Japanese Imperial General Headquarters and of all Japanese armed forces and all armed forces under Japanese control wherever situated.

We hereby command all Japanese forces wherever situated and the Japanese people to cease hostilities forthwith, to preserve and save from damage all ships, aircraft, and military and civil property and to comply with all requirements which may be imposed by the Supreme Commander for the

Allied Powers or by agencies of the Japanese Government at his direction.

We hereby command the Japanese Imperial General Headquarters to issue at once orders to the Commanders of all Japanese forces and all forces under Japanese control wherever situated to surrender unconditionally themselves and all forces under their control.

We hereby command all civil, military and naval officials to obey and enforce all proclamations, orders and directives deemed by the Supreme Commander for the Allied Powers to be proper to effectuate this surrender and issue by him or under his authority and we direct all such officials to remain at their posts and to continue to perform their non-combatant duties unless specifically relieved by him or under his authority.

We hereby undertake for the Emperor, the Japanese Government and their successors to carry out the provisions of the Potsdam Declaration in good faith, and to issue whatever orders and take whatever action may be required by the Supreme Commander for the Allied Powers or by any other designated representative of the Allied Powers for the purpose of giving effect to that Declaration.

We hereby command the Japanese Imperial Government and the Japanese Imperial General Headquarters at once to liberate all allied prisoners of war and civilian internees now under Japanese control and to provide for their protection, care, maintenance and immediate transportation to places as directed.

The authority of the Emperor and the Japanese Government to rule the state shall be subject to the Supreme Commander for the Allied Powers who will take such steps as he deems proper to effectuate these terms of surrender.

Signed at Tokyo Bay, Japan, at 0947 on the second day of September, 1945.

[EDITOR'S NOTE.—Signatures to document, signed on the U.S.S. *Missouri*, are of Foreign Minister Mamoru Shigemitsu and Gen. Yoshijiro Umezu of the Imperial General Staff, and for the United Nations the signatures are of Gen. Douglas MacArthur for the Allied Powers, Admiral Chester W. Nimitz for the United States, Gen. Hsu Yung-Ch'ang for China, Admiral Sir Bruce A. Fraser for the United Kingdom, Lt. Gen. Kuzma Derevyanko for the Soviet Union, Gen. Sir Thomas Blamey for Australia, Col. L. Moore Cosgrave for Canada, Gen. Jacques Le Clerc for France, Admiral C. E. L. Helfrich for the Netherlands, and Air Vice Marshal Leonard M. Isitt for New Zealand.]

## PRINCIPLES FOR JAPANESE PEACE TREATY: UNITED STATES MEMORAN- DUM TO GOVERNMENTS REPRESENTED ON THE FAR EASTERN COMMISSION, RELEASED ON NOVEMBER 24, 1950

There is given below a brief general statement of the type of Treaty envisioned by the United States Government as proper to end the state of war with Japan. It is stressed

that this statement is only suggestive and tentative and does not commit the United States Government to the detailed content or wording of any future draft. It is ex-



pected that after there has been an opportunity to study this outline there will be a series of informal discussions designed to elaborate on it and make clear any points which may be obscure at first glance.

The United States proposes a treaty with Japan which would end the state of war, restore Japanese sovereignty and bring back Japan as an equal in the society of free peoples. As regards specific matters, the treaty would reflect the principles indicated below:

1. *Parties.* Any or all nations at war with Japan which are willing to make peace on the basis proposed and as may be agreed.

2. *United Nations.* Membership by Japan would be contemplated.

3. *Territory.* Japan would (a) recognize the independence of Korea; (b) agree to U.N. trusteeship, with the U.S. as administering authority, of the Ryukyu and Bonin Islands and (c) accept the future decisions of the U.K., U.S.S.R., China and U.S. with reference to the status of Formosa, Pescadores, South Sakhalin and the Kuriles. In the event of no decision within a year after the Treaty came into effect, the U.N. General Assembly would decide. Special rights and interests in China would be renounced.

4. *Security.* The Treaty would contem-

plate that, pending satisfactory alternative security arrangements such as U.N. assumption of effective responsibility, there would be continuing cooperative responsibility between Japanese facilities and U.S. and perhaps other forces for the maintenance of international peace and security in the Japan area.

5. *Political and Commercial Arrangements.* Japan would agree to adhere to multilateral treaties dealing with narcotics and fishing. Prewar bilateral treaties could be revived by mutual agreement. Pending the conclusion of new commercial treaties, Japan would extend most-favored-nation treatment, subject to normal exceptions.

6. *Claims.* All parties would waive claims arising out of war acts prior to September 2, 1945, except that (a) the Allied Powers would, in general, hold Japanese property within their territory and (b) Japan would restore allied property or, if not restorable intact, provide yen to compensate for an agreed percentage of lost value.

7. *Disputes.* Claims disputes would be settled by a special neutral tribunal to be set up by the President of the International Court of Justice. Other disputes would be referred either to diplomatic settlement, or to the International Court of Justice.

# *Austria*

## LONDON CONFERENCE OF FOREIGN MINISTERS OF THE UNITED STATES, UNITED KINGDOM, AND FRANCE: DECLARATION ON AUSTRIA, RELEASED ON MAY 19, 1950

The Governments of the United States, the United Kingdom and France reaffirm that their policy with respect to Austria requires the earliest possible completion of an Austrian treaty which will lead to the restoration of a free and independent Austria in accordance with the pledge given in the Moscow Declaration of November 1, 1943, and to the withdrawal of the forces of occupation.

To this end the three Governments are ready at any time to settle without delay all outstanding issues of the treaty, provided that this will definitely bring about agreement on the treaty as a whole. If, however, the unwillingness of the Soviet Government

to settle all outstanding issues continues to prevent the conclusion of the treaty, the occupation will have to be maintained for the present. But the three Governments are themselves prepared to carry out such measures as may properly be taken to strengthen within the framework of existing quadripartite agreements the authority of the Austrian Government and to lighten the burden of the occupation on Austria.

In accordance with the provisions of Article 9 of the control agreement of June 28, 1946, the three Governments have decided to proceed at an early date to the appointment of civilian High Commissioners.

## TRANSITION OF OCCUPATION FUNCTIONS IN AUSTRIA FROM MILITARY TO CIVILIAN CONTROL

United States note to the Soviet Union, June 12, 1950

I have the honor to refer to the situation in which the deputies for the Austrian treaty negotiations have been unable to reach agreement on the terms of an Austrian state treaty. It will be recalled that Austrian

independence was pledged in the Moscow Declaration of 1943, and my Government regrets exceedingly the failure to reach an agreement which would result in the fulfillment of this pledge.

The Foreign Ministers of the United Kingdom, France, and the United States at their meeting in London on May 18 reaffirmed that their policy with respect Austria requires the earliest possible completion of an Austrian treaty which will lead to the restoration of a free and independent Austria in accordance with the pledge given in the Moscow Declaration and to the withdrawal of the forces of occupation. The three governments further agreed that they are ready at any time to settle without delay all outstanding issues of the treaty, provided that this will definitely bring about agreement on the treaty as a whole.

In the absence of a treaty, the three governments agreed that they are prepared to carry out such measures as may properly be taken to strengthen, within the framework of existing quadripartite agreements, the authority of the Austrian Government and

to lighten the burden of the occupation on Austria to the greatest extent possible as requested by the Austrian Government in recent notes to the occupying powers. The three Foreign Ministers further agreed to proceed at an early date to appoint civilian high commissioners in Austria in accordance with the provisions of Article 9 of the Control Agreement of June 28, 1946.

My Government would be pleased if the Government of the Soviet Union, pending final decision on the treaty, would associate itself with the program determined upon by the three Foreign Ministers. In the meantime, my Government will, on its part, as a first step in such a program, proceed at an early date to designate a civilian high commissioner to replace its present military commander in Austria and hopes that the Soviet Government will take similar action.

## Executive Order 10171, October 12, 1950

By virtue of the authority vested in me by the Constitution and the Statutes, including Title II of Chapter XI of the General Appropriation Act, 1951 (Public Law 759, 81st Congress) and as President of the United States and Commander in Chief of the Armed Forces of the United States, it is hereby ordered as follows:

1. There are hereby vested in the Department of State, except as hereinafter provided, the responsibilities and obligations of the United States in connection with the occupation of Austria, including the controls defined in the Agreement on the Machinery of Control in Austria dated June 28, 1946. There are transferred to the Department of State such unobligated balances of the appropriation for Government and Relief in Occupied Areas for the Fiscal Year

ending June 30, 1951 and such property, including records, as the Director of the Bureau of the Budget shall determine to relate primarily to the functions herein transferred.

2. The United States High Commissioner for Austria shall continue to be the supreme United States authority in Austria, shall be the Chief of the United States diplomatic mission, and shall be responsible, under the immediate supervision of the Secretary of State, for the total governmental program of the United States in Austria, including representation of the United States in the Allied Commission for Austria: *Provided, That* (1) with respect to military matters as mutually defined by the Department of State and the Department of Defense the Commanding General, United



States Forces in Austria, shall continue to receive instructions directly from the Joint Chiefs of Staff, and (2) the chief of the special mission of the Economic Cooperation Administration and his staff shall function in relation to the High Commissioner as described in section 109(b) of the Economic Cooperation Act of 1948 (Public Law 472, 80th Congress), as amended.

3. On request of the High Commissioner, or in accordance with his instructions from the Joint Chiefs of Staff in respect of military matters, the Commanding General shall take all necessary measures to protect United States interests in Austria and whatever action may be considered essential to preserve law and order and safeguard the

security of United States troops and personnel.

4. Except as stated above, all representatives of the United States Government in Austria are under the authority of the High Commissioner, who will facilitate the work of United States agencies in Austria and will assist them in their relations with representatives of the Austrian Government, all such relations being subject to his jurisdiction and discretion.

5. This order shall become effective on October 16, 1950.

HARRY S. TRUMAN

THE WHITE HOUSE,  
October 12, 1950.

## *Korea*

### NORTH KOREAN AGGRESSION AGAINST REPUBLIC OF KOREA

Call for cessation of hostilities and  
withdrawal: Resolution adopted by  
the Security Council, June 25, 1950

#### The Security Council

RECALLING the finding of the General Assembly in its resolution of 21 October 1949 that the Government of the Republic of Korea is a lawfully established government "having effective control and jurisdiction over that part of Korea where the United Nations Temporary Commission on Korea was able to observe and consult and in which the great majority of the people of Korea reside; and that this Government is based on elections which were a valid ex-

pression of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this is the only such Government in Korea";

MINDFUL of the concern expressed by the General Assembly in its resolutions of 12 December 1948 and 21 October 1949 of the consequences which might follow unless Member States refrained from acts derogatory to the results sought to be achieved by the United Nations in bringing about the complete independence and unity of Korea;

and the concern expressed that the situation described by the United Nations Commission on Korea in its report menaces the safety and well being of the Republic of Korea and of the people of Korea and might lead to open military conflict there;

NOTING with grave concern the armed attack upon the Republic of Korea by forces from North Korea,

*Determines* that this action constitutes a breach of the peace,

I. *Calls for* the immediate cessation of hostilities; and

*Calls upon* the authorities of North Korea to withdraw forthwith their armed forces to the thirty-eighth parallel;

II. *Requests* the United Nations Commission on Korea

(a) To communicate its fully considered recommendations on the situation with the least possible delay;

(b) To observe the withdrawal of the North Korean forces to the thirty-eighth parallel; and

(c) To keep the Security Council informed on the execution of this resolution;

III. *Calls upon* all Members to render every assistance to the United Nations in the execution of this resolution and to refrain from giving assistance to the North Korean authorities.

## Call to United Nations members for armed aid to Korean Republic: Resolution adopted by the Security Council, June 27, 1950

The Security Council,

HAVING DETERMINED that the armed attack upon the Republic of Korea by forces from North Korea constitutes a breach of the peace,

HAVING CALLED for an immediate cessation of hostilities, and

HAVING CALLED upon the authorities of North Korea to withdraw forthwith their armed forces to the 38th parallel, and

HAVING NOTED from the report of the United Nations Commission for Korea that the authorities in North Korea have neither

ceased hostilities nor withdrawn their armed forces to the 38th parallel and that urgent military measures are required to restore international peace and security, and

HAVING NOTED the appeal from the Republic of Korea to the United Nations for immediate and effective steps to secure peace and security,

*Recommends* that the Members of the United Nations furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area.

## Unification of command of military forces under the United States: Resolution adopted by the Security Council, July 7, 1950

The Security Council,

HAVING DETERMINED that the armed attack upon the Republic of Korea by forces from North Korea constitutes a breach of the peace,

HAVING RECOMMENDED that Members of the United Nations furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area,

1. *Welcomes* the prompt and vigorous support which governments and peoples of the United Nations have given to its Resolutions of 25 and 27 June 1950 to assist the Republic of Korea in defending itself against armed attack and thus to restore international peace and security in the area;

2. *Notes* that Members of the United Na-

tions have transmitted to the United Nations offers of assistance for the Republic of Korea;

3. *Recommends* that all Members providing military forces and other assistance pursuant to the aforesaid Security Council resolutions make such forces and other assistance available to a unified command under the United States;

4. *Requests* the United States to designate the commander of such forces;

5. *Authorizes* the unified command at its discretion to use the United Nations flag in the course of operations against North Korean forces concurrently with the flags of the various nations participating;

6. *Requests* the United States to provide the Security Council with reports as appropriate on the course of action taken under the unified command.

## Call on North Korean Forces to surrender: Message issued by General Douglas MacArthur, October 1, 1950

TO THE COMMANDER IN CHIEF, NORTH KOREAN FORCES:

The early and total defeat and complete destruction of your armed forces and war making potential is now inevitable. In order that the decisions of the United Nations may be carried out with a minimum of further loss of life and destruction of property, I, as the United Nations Commander in Chief, call upon you and the forces under your command, in whatever part of Korea

situated, forthwith to lay down your arms and cease hostilities under such military supervision as I may direct and I call upon you at once to liberate all United Nations prisoners of war and civilian internees under your control and to make adequate provision for their protection, care, maintenance and immediate transportation to such places as I indicate. North Korean forces, including prisoners of war in the hands of the United Nations Command,



will continue to be given the care dictated by civilized custom and practice and permitted to return to their homes as soon as practicable. I shall anticipate your early

decision upon this opportunity to avoid the further useless shedding of blood and destruction of property.

DOUGLAS MACARTHUR

## UNIFICATION AND INDEPENDENCE OF KOREA: RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY, OCTOBER 7, 1950

The General Assembly,

HAVING REGARD to its resolutions of 14 November 1947 (112 (II)), of 12 December 1948 (195 (III)) and of 21 October 1949 (293 (IV)),

HAVING RECEIVED and considered the Report of the United Nations Commission on Korea,

MINDFUL of the fact that the objectives set forth in the resolutions referred to above have not been fully accomplished and, in particular, that the unification of Korea has not yet been achieved, and that an attempt has been made by an armed attack from North Korea to extinguish by force the Government of the Republic of Korea,

RECALLING the General Assembly declaration of 12 December 1948 that there has been established a lawful Government (the Government of the Republic of Korea) having effective control and jurisdiction over that part of Korea where the United Nations Temporary Commission on Korea was able to observe and consult and in which the great majority of the people of Korea reside; that this Government is based on elections which were a valid expression of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and

that this is the only such Government in Korea,

HAVING IN MIND that United Nations armed forces are at present operating in Korea in accordance with the recommendations of the Security Council of 27 June 1950, subsequent to its resolution of 25 June 1950, that Members of the United Nations furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area,

RECALLING that the essential objective of the resolutions of the General Assembly referred to above was the establishment of a unified, independent and democratic Government of Korea,

### 1. *Recommends* that

(a) All appropriate steps be taken to ensure conditions of stability throughout Korea;

(b) All constituent acts be taken, including the holding of elections, under the auspices of the United Nations, for the establishment of a unified independent and democratic Government in the sovereign State of Korea;

(c) All sections and representative bodies of the population of Korea, South and North, be invited to co-operate with the

organs of the United Nations in the restoration of peace, in the holding of elections and in the establishment of a unified Government;

(d) United Nations forces should not remain in any part of Korea otherwise than so far as necessary for achieving the objectives specified in sub-paragraphs (a) and (b) above;

(e) All necessary measures be taken to accomplish the economic rehabilitation of Korea;

2. *Resolves* that

(a) A Commission consisting of Australia, Chile, Netherlands, Pakistan, Philippines, Thailand and Turkey, to be known as the United Nations Commission for the Unification and Rehabilitation of Korea, be established to (i) assume the functions hitherto exercised by the present United Nations Commission in Korea; (ii) represent the United Nations in bringing about the establishment of a unified, independent and democratic government of all Korea; (iii) exercise such responsibilities in connexion with relief and rehabilitation in Korea as may be determined by the General Assembly after receiving the recommendations of the Economic and Social Council. The United Nations Commission for the Unification and Rehabilitation of Korea should proceed to Korea and begin to carry out its functions as soon as possible;

(b) Pending the arrival in Korea of the United Nations Commission for the Unification and Rehabilitation of Korea, the Governments of the States represented on the Commission should form an interim committee composed of representatives meeting at the seat of the United Nations to consult with and advise the United Nations

Unified Command in the light of the above recommendations; the interim committee should begin to function immediately upon the approval of the present resolution by the General Assembly;

(c) The Commission shall render a report to the next regular session of the General Assembly and to any prior special session which might be called to consider the subject matter of the present resolution, and shall render such interim reports as it may deem appropriate to the Secretary-General for transmission to Members;

The General Assembly furthermore,

MINDFUL of the fact that at the end of the present hostilities the task of rehabilitating the Korean economy will be of great magnitude,

3. *Requests* the Economic and Social Council, in consultation with the specialized agencies, to develop plans for relief and rehabilitation on the termination of hostilities and to report to the General Assembly within three weeks of the adoption of the present resolution by the General Assembly;

4. *Also recommends* the Economic and Social Council to expedite the study of long-term measures to promote the economic development and social progress of Korea, and meanwhile to draw the attention of the authorities which decide requests for technical assistance to the urgent and special necessity of affording such assistance to Korea;

5. *Expresses* its appreciation of the services rendered by the members of the United Nations Commission on Korea in the performance of their important and difficult task;

6. *Requests* the Secretary-General to provide the Commission with adequate

staff and facilities, including technical advisers as required; and authorizes the Secretary-General to pay the expenses and per

diem of a representative and alternate from each of the States members of the Commission.

## INTERVENTION OF THE CENTRAL PEOPLE'S GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA IN KOREA

United Nations communiqué issued by General  
MacArthur, November 6, 1950

The military position of the United Nations forces in the western sector of North Korea is now sufficiently stabilized and information on enemy unit identifications adequately evaluated to permit me to put the situation growing out of the last few days' operations in proper perspective.

The Korean war was brought to a practical end with the closing of the trap on enemy elements north of Pyongyang and seizure of the east coastal area, resulting in raising the number of enemy prisoners of war in our hands to well over 135,000, which, with other losses amounting to over 200,000, brought casualties to 335,000, representing a fair estimate of North Korean total military strength.

The defeat of the North Koreans and destruction of their armies was thereby decisive. In the face of this victory of United Nations arms, the Communists committed one of the most offensive acts of international lawlessness of historic record by moving without any notice of belligerency elements of alien Communist forces across the Yalu River into North Korea and massing a great concentration of possible reinforcing divisions with adequate supply be-

hind the privileged sanctuary of the adjacent Manchurian border.

A possible trap was thereby surreptitiously laid, calculated to encompass the destruction of the United Nations forces engaged in restoring order and the processes of civil government in the North Korean border area.

This potential danger was avoided with minimum losses only by the timely detection and skillful maneuvering of the United Nations commander responsible for that sector who, with great perspicacity and skill, completely revised the movement of his forces in order to achieve the greater integration of tactical power necessitated by the new situation, and avert any possibility of a great military reverse.

The present situation, therefore, is this:

While the North Korean forces with which we were initially engaged have been destroyed or rendered impotent for military action, a new and fresh army now faces us, backed up by a possibility of large alien reserves, and adequate supply within easy reach to the enemy but beyond the limits of our present sphere of military action.

Whether and to what extent these re-



serves will be moved forward to reinforce units now committed remains to be seen and is a matter of the gravest international significance.

Our present mission is limited to the destruction of those forces now arrayed against

us in North Korea, with a view to achieving the United Nations' objective to bring unity and peace to the Korean nation and people.

DOUGLAS MACARTHUR,  
*General of the Army, United States Army,  
Commander-in-Chief*

## United States Resolutions on Communist China, passed by the Senate and the House of Representatives January 19 and 23, 1951

### *House Resolution*

On January 19 the House passed the following resolution, which was introduced by the majority leader of the House with the collaboration of the minority leader.

*Resolved*, That it is the sense of the House of Representatives that the United Nations should immediately act and declare the Chinese Communist authorities an aggressor in Korea.

### *Senate Resolution*

On January 23, the Senate passed the fol-

lowing resolutions, S. Res. 35 and S. Res. 36, respectively, that were introduced by Senator John L. McClellan:

*Resolved*, That it is the sense of the Senate that the United Nations should immediately declare Communist China an aggressor in Korea.

*Resolved*, That it is the sense of the Senate that the Communist Chinese Government should not be admitted to membership in the United Nations as the representative of China.

## Resolution naming the Peiping Regime as an aggressor in Korea, adopted by the General Assembly, February 1, 1951

The General Assembly,

NOTING that the Security Council, because of lack of unanimity of the permanent members, has failed to exercise its primary responsibility for the maintenance of international peace and security in regard to Chinese Communist intervention in Korea,

NOTING that the Central People's Government of the People's Republic of China has not accepted United Nations proposals to bring about a cessation of hostilities in Korea with a view to peaceful settlement, and that its armed forces continue their invasion of Korea and their large-scale attacks upon United Nations forces there,

1. *Finds* that the Central People's Government of the People's Republic of China, by giving direct aid and assistance to those who were already committing aggression in Korea and by engaging in hostilities against the United Nations forces there, has itself engaged in aggression in Korea;

2. *Calls upon* the Central People's Government of the People's Republic of China to cause its forces and nationals in Korea to cease hostilities against the United Nations forces and to withdraw from Korea;

3. *Affirms* the determination of the United Nations to continue its action in Korea to meet the aggression;

4. *Calls upon* all States and authorities to continue to lend every assistance to the United Nations action in Korea;

5. *Calls upon* all States and authorities to refrain from giving any assistance to the aggressors in Korea;

6. *Requests* a Committee composed of the members of the Collective Measures Committee as a matter of urgency to consider additional measures to be employed to meet this aggression and to report thereon to the General Assembly, it being understood that the Committee is authorized to defer its report if the Good Offices Committee referred to in the following paragraph reports satisfactory progress in its efforts;

7. *Affirms* that it continues to be the policy of the United Nations to bring about a cessation of hostilities in Korea and the achievement of United Nations objectives in Korea by peaceful means, and requests the President of the General Assembly to designate forthwith two persons who would meet with him at any suitable opportunity to use their good offices to this end.

## RELIEF AND REHABILITATION OF KOREA: RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY, DECEMBER 1, 1950

### A.

The General Assembly,

HAVING REGARD to its resolution of 7 October 1950 on the problem of the independence of Korea.

HAVING RECEIVED and considered a report of the Economic and Social Council submitted in accordance with that resolution,

MINDFUL that the aggression by North Korean forces and their warfare against the United Nations seeking to restore peace in the area has resulted in great devastation and destruction which the Korean people cannot themselves repair,

RECOGNIZING that as a result of such aggression the people of Korea are desperately in need of relief supplies and materials and help in reconstructing their economy.

DEEPLY MOVED by the sufferings of the Korean people and determined to assist in their alleviation.

CONVINCED that the creation of a United Nations programme of relief and rehabilitation for Korea is necessary both to the maintenance of lasting peace in the area and to the establishment of the economic foundations for the building of a unified and independent nation,

CONSIDERING that, under the said resolution of 7 October 1950, the United Nations Commission for the Unification and Rehabilitation of Korea is the principal representative of the United Nations in Korea and hence must share in the responsibility for the work undertaken by the United Nations in furtherance of the objects and purposes mentioned in the said resolution,

CONSIDERING that it is nevertheless desirable to set up a special authority with broad powers to plan and supervise rehabilitation and relief and to assume such functions and responsibilities related to planning and supervision, to technical and administrative matters, and to questions affecting organization and implementation as are to be exercised under the plans for relief and rehabilitation approved by the General Assembly, such authority to carry out its responsibilities in close cooperation with the Commission.

A. *Establishment of the United Nations Korean Reconstruction Agency for the Relief and Rehabilitation of Korea*

1. *Establishes* the United Nations Korean Reconstruction Agency (UNKRA) under the direction of a United Nations Agent General, who shall be assisted by one or more deputies. The Agent General shall be responsible to the General Assembly for the conduct (in accordance with the policies established by the General Assembly, and having regard to such general policy recommendations as the United Nations Commission for the Unification and Rehabilitation of Korea may make) of the programme of relief and rehabilitation in Korea, as that programme may be determined from time to time by the General Assembly;

2. *Authorizes* the United Nations Com-

mission for the Unification and Rehabilitation of Korea:

(a) To recommend to the Agent General such policies concerning the United Nations Korean Reconstruction Agency's programme and activities as the Commission may consider necessary for the effective discharge of the Commission's responsibilities in relation to the establishment of a unified, independent and democratic government in Korea;

(b) To determine, after consultation with the Agent General, the geographical areas within which the Agency shall operate at any time;

(c) To designate authorities in Korea with which the Agent General may establish relationships; and to advise the Agent General on the nature of such relationships;

(d) To take such steps as may be needed to support the Agent General in fulfilling his task in accordance with the policies established by the General Assembly for relief and rehabilitation;

(e) To consider the reports of the Agent General to the General Assembly and to transmit any comments thereon to the Economic and Social Council and the General Assembly;

(f) To call for information on those aspects of the work of the Agent General which the Commission may consider necessary for the proper performance of its work;

3. *Authorizes* the Commission to consult from time to time with the Agent General in regard to the provisional programme adopted by the General Assembly on the recommendation of the Economic and Social Council and especially with regard to the adequacy of that programme to meet the needs of Korea as defined in the statement of general policy, and to make recom-



mendations thereon to the Economic and Social Council;

4. *Directs* the Agent General:

(a) To co-ordinate his programme with measures taken by the United Nations Commission for the Unification and Rehabilitation of Korea to carry out the recommendations of the General Assembly relating to the establishment of a unified, independent and democratic government in Korea, and to support the Commission in fulfilling this task;

(b) To commence the operation of the programme in Korea at such time as may be agreed upon by the United Nations Unified Command, the United Nations Commission for the Unification and Rehabilitation of Korea and the Agent General;

(c) To consult with and generally be guided by the advice of the United Nations Commission for the Unification and Rehabilitation of Korea on the matters set forth under paragraph 2 (a) and be governed by its advice on the matters covered in paragraphs 2 (b) and 2 (c);

5. *Further directs* the Agent General, in the carrying out of his operational functions:

(a) To ascertain, after consultation with the designated authorities in Korea, the requirements for supplies and services for relief and rehabilitation made necessary by the consequences of armed conflict in Korea;

(b) To provide for the procurement and shipment of supplies and services and for their effective distribution and utilization within Korea;

(c) To consult with and assist the appropriate authorities in Korea with respect to measures necessary for the rehabilitation of the Korean economy and the effective

distribution and utilization within Korea of supplies and services furnished;

(d) To submit reports to the General Assembly through the Secretary-General, transmitting copies simultaneously to the United Nations Commission for the Unification and Rehabilitation of Korea, and to the Economic and Social Council;

(e) To be guided in matters of administration, to the extent consistent with the special requirements of the programme, by the rules and regulations established for the operation of the Secretariat of the United Nations; Specifically he shall:

(1) Select and appoint his staff in accordance with general arrangements made in agreement with the Secretary-General, including such of the staff rules and regulations of the United Nations as the Agent General and the Secretary-General shall agree are applicable;

(2) Utilize, wherever appropriate, and within budgetary limitations, the existing facilities of the United Nations;

(3) Establish, in consultation with the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions, and in agreement with the Advisory Committee established under paragraph 6 below, financial regulations for the United Nations Korean Reconstruction Agency;

(4) Arrange, in consultation with the Advisory Committee on Administrative and Budgetary Questions, for the rendering and audit of the accounts of the Agency under procedures similar to those applicable to the rendering and audit of the accounts of the United Nations;

6. *Establishes* an Advisory Committee consisting of representatives of . . . (five Member States) to advise the Agent Gen-

eral with regard to major financial, procurement distribution and other economic problems pertaining to his planning and operations. The Committee shall meet on the call of the Agent General but not less than four times a year. The meetings of the Committee shall be held at the Headquarters of the United Nations except in special circumstances when the Committee, after consultation with the Agent General, may meet elsewhere if it deems that this would be essential to the proper performance of its work. The Committee shall determine its own methods of work and rules of procedure;

7. *Requests* the Secretary-General, after consulting the United Nations Commission for the Unification and Rehabilitation of Korea and the Advisory Committee to appoint the United Nations Agent General for Korean Reconstruction, and authorizes the Agent General to appoint one or more Deputy Agents General in consultation with the Secretary-General;

8. *Authorizes* the Secretary-General to establish a special account to which should be credited all contributions in cash, kind or services, the resources credited to the account to be used exclusively for the programme of relief and rehabilitation and administrative expenses connected therewith; and directs the Secretary-General to make cash withdrawals from the account upon request of the Agent General. The Agent General is authorized to use contributions in kind or services at his discretion;

9. *Recommends* that the Agent General in carrying out his functions:

(a) Make use at his discretion of facilities, services and personnel that may be available to him through existing national and international agencies and organiza-

tions both governmental and non-governmental;

(b) Consult with the Secretary-General and the heads of the specialized agencies before appointing his principal subordinate personnel in their respective fields of competence;

(c) Make use of the advice and technical assistance of the United Nations and the specialized agencies and, where appropriate, request them to undertake specific projects and special tasks either at their own expense or with funds made available by the Agent General;

(d) Maintain close contact with the Secretary-General for the purpose of ensuring fullest co-ordination of efforts of the organs of the United Nations and the specialized agencies in support of the programme;

10. *Authorizes* the Agent General to enter into agreements with such authorities in Korea as the United Nations Commission for the Unification and Rehabilitation of Korea may designate, containing terms and conditions governing measures affecting the distribution and utilization in Korea of the supplies and services furnished, in accordance with the statement of general policy on Korean relief and rehabilitation contained in section B of the present resolution;

11. *Requests* the Secretary-General to make available to the maximum extent possible, and subject to appropriate financial arrangements, such facilities, advice and services as the Agent General may request;

12. *Requests* the specialized agencies and non-governmental organizations to make available to the maximum extent possible, and subject to appropriate financial arrangements, such facilities, advice and services as the Agent General may request;



13. *Requests* the Economic and Social Council to review the reports of the Agent General and any comments which the United Nations Commission for the Unification and Rehabilitation of Korea may submit thereon, and such other data as may be available on the progress of relief and rehabilitation in Korea and to make appropriate reports and recommendations thereon to the General Assembly;

14. *Calls upon* all Governments, specialized agencies and non-governmental organizations, pending the beginning of operations by the United Nations Korean Reconstruction Agency, to continue to furnish through the Secretary-General such assistance for the Korean people as may be requested by the Unified Command;

15. *Invites* countries not Members of the United Nations to participate in financing the programme of relief and rehabilitation in Korea;

*B. Statement of General Policy on Relief and Rehabilitation in Korea*

16. *Approves* the following statement of general policy:

1. The United Nations programme of relief and rehabilitation in Korea is necessary to the restoration of peace and the establishment of a unified, independent and democratic government in Korea.

2. To this end, it is the objective of the United Nations to provide, subject to the limit of the resources placed at its disposal for this purpose, relief and rehabilitation supplies, transport and services, to assist the Korean people to relieve the sufferings and to repair the devastation caused by aggression, and to lay the necessary economic foundations for the political unification and independence of the country.

3. The United Nations programme of re-

lief and rehabilitation for Korea shall be carried out in practice in such a way as to contribute to the rapid restoration of the country's economy in conformity with the national interests of the Korean people, having in view the strengthening of the economic and political independence of Korea and having in view that, in accordance with the general principles of the United Nations, such assistance must not serve as a means for foreign economic and political interference in the internal affairs of Korea and must not be accompanied by any conditions of a political nature.

4. The United Nations programme is to be a supplement to the general recovery effort that will be undertaken by the Korean people on their own initiative and responsibility, through the most effective utilization of their own resources as well as of the aid which is rendered under the programme.

5. Whilst the programme should be consistent with the pattern of long-term economic development in Korea, it is itself necessarily limited to relief and rehabilitation, and contributions and supplies furnished under this programme shall be used exclusively for that purpose.

6. First priority shall be given to the provision of the basic necessities of food, clothing and shelter for the population of Korea and measures to prevent epidemics. Second highest priority shall be given to projects which will yield early results in the indigenous production of basic necessities; this will include the reconstruction of transport and power facilities. As the programme develops, emphasis should be shifted to the provision of other materials, supplies and equipment for the reconstruction or replacement of war-damaged facilities.



ties necessary to the economic life of the country.

7. The necessary measures shall be taken to ensure that distribution shall be so conducted that all classes of the population shall receive their equitable shares of essential commodities without discrimination as to race, creed or political belief.

8. Subject to adequate control, the distribution of supplies shall be carried out, as appropriate, through public and co-operative organizations, through non-profit-making voluntary organizations such as the Red Cross, and through normal channels of private trade. At the same time, measures shall be taken to ensure that the cost of distribution and the profit from the sale of supplies are kept to the minimum. Measures shall be taken to ensure that the special needs of refugees and other distressed groups of the population are met through appropriate public welfare programmes, and accordingly the sale of relief supplies will take place only in justifiable cases and under conditions agreed upon with the United Nations Commission for the Unification and Rehabilitation of Korea.

9. The local currency proceeds derived from the sale of relief and rehabilitation supplies or, at the discretion of the Agent General, an amount commensurate with the value of goods and services supplied, shall be paid into an account under the control of the Agent General. The Agent General, after consultation with the United Nations Commission for the Unification and Rehabilitation of Korea, and in agreement with the Advisory Committee referred to in paragraph 6 of Section A of the present resolution, shall use these funds for appropriate additional relief and rehabilitation activities within Korea, for the local cur-

rency expenses of the relief and rehabilitation operations of the United Nations, or for measures to combat inflation. The proceeds shall not be used for any other purpose.

10. The necessary economic and financial measures shall be taken by the authorities in Korea to ensure that the resources provided under the United Nations programme, as well as Korean resources, are effectively employed to aid in laying the economic foundations of the country. Among these, special attention should be given to measures to combat inflation, to sound fiscal and monetary policies, to the requisite pricing, rationing and allocation controls (including the pricing of goods imported under the programme), to the prudent use of Korean foreign exchange resources together with promotion of exports, and to the efficient management of government enterprise.

11. Import taxes shall not be imposed on relief and rehabilitation supplies received under the United Nations programme.

12. The authorities in Korea should maintain such records and make such reports on the receipt, distribution and use of relief and rehabilitation supplies as may be determined by the Agent General after consultation with them.

13. All authorities in Korea shall freely permit the personnel of the United Nations to supervise the distribution of relief and rehabilitation supplies, including the examination of all storage and distribution facilities as well as records.

14. The personnel of the United Nations shall be accorded within Korea the privileges, immunities and facilities necessary for the fulfilment of their function.

15. All authorities in Korea and the Sec-

retary-General shall use their best efforts to inform the people of Korea of the sources and purposes of the contributions of funds, supplies and services.

16. In determining Korea's needs for relief and rehabilitation, in drawing up programmes and plans, and in implementing such programmes and plans, the Agency created to administer the relief and rehabilitation programme should consult with and utilize, to the greatest extent feasible, the services of Korean authorities.

## B.

### The General Assembly

1. *Requests* the President to appoint a Negotiating Committee composed of seven or more members for the purpose of consulting, as soon as possible during the current session of the General Assembly, with Member and non-member States as to the amounts which Governments may be willing to contribute towards the financing of the programme for the relief and rehabilitation of Korea;

2. *Authorizes* the Negotiating Committee to adopt procedures best suited to the accomplishment of its task, bearing in mind:

(a) The need for securing the maximum contribution in cash;

(b) The desirability of ensuring that any contribution in kind is of a nature which

meets the requirements of the contemplated programmes; and

(c) The degree of assistance which can be rendered by specialized agencies, non-member States and other contributors;

3. *Requests* that, as soon as the Negotiating Committee has ascertained the extent to which Member States are willing to make contributions, all delegations be notified accordingly by the Secretary-General in order that they may consult with their Governments;

4. *Decides* that, as soon as the Negotiating Committee has completed its work, the Secretary-General shall, at the Committee's request, arrange, during the current session of the General Assembly, an appropriate meeting of Member and non-member States at which Members may commit themselves to their national contributions and the contributions of non-members may be made known.

. . . . .

In accordance with the terms of the above resolution, the President of the General Assembly, at the 318th plenary meeting on 4 December 1950, announced that he had appointed a Negotiating Committee. The following States Members were appointed: Canada, Egypt, France, India, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay.

# part III

## Documents Relating to Security Against Aggression

### *Greek-Turkish Aid Program: Message of the President to the Congress, March 12, 1947*

(The Truman Doctrine)

MR. PRESIDENT, MR. SPEAKER, MEMBERS  
OF THE CONGRESS OF THE UNITED  
STATES:

The gravity of the situation which confronts the world today necessitates my appearance before a joint session of the Congress.

The foreign policy and the national security of this country are involved.

One aspect of the present situation, which I wish to present to you at this time for your consideration and decision, concerns Greece and Turkey.

The United States has received from the Greek Government an urgent appeal for financial and economic assistance. Preliminary reports from the American Economic Mission now in Greece and reports from the American Ambassador in Greece corroborate the statement of the Greek

Government that assistance is imperative if Greece is to survive as a free nation.

I do not believe that the American people and the Congress wish to turn a deaf ear to the appeal of the Greek Government.

Greece is not a rich country. Lack of sufficient natural resources has always forced the Greek people to work hard to make both ends meet. Since 1940 this industrious and peace-loving country has suffered invasion, four years of cruel enemy occupation, and bitter internal strife.

When forces of liberation entered Greece they found that the retreating Germans had destroyed virtually all the railways, roads, port facilities, communications, and merchant marine. More than a thousand villages had been burned. Eighty-five percent of the children were tubercular. Livestock, poultry, and draft animals had



almost disappeared. Inflation had wiped out practically all savings.

As a result of these tragic conditions, a militant minority, exploiting human want and misery, was able to create political chaos which, until now, has made economic recovery impossible.

Greece is today without funds to finance the importation of those goods which are essential to bare subsistence. Under these circumstances the people of Greece cannot make progress in solving their problems of reconstruction. Greece is in desperate need of financial and economic assistance to enable it to resume purchases of food, clothing, fuel, and seeds. These are indispensable for the subsistence of its people and are obtainable only from abroad. Greece must have help to import the goods necessary to restore internal order and security so essential for economic and political recovery.

The Greek Government has also asked for the assistance of experienced American administrators, economists, and technicians to insure that the financial and other aid given to Greece shall be used effectively in creating a stable and self-sustaining economy and in improving its public administration.

The very existence of the Greek state is today threatened by the terrorist activities of several thousand armed men, led by Communists, who defy the Government's authority at a number of points, particularly along the northern boundaries. A commission appointed by the United Nations Security Council is at present investigating disturbed conditions in northern Greece and alleged border violations along the frontier between Greece on the one hand and Albania, Bulgaria, and Yugoslavia on the other.

Meanwhile, the Greek Government is unable to cope with the situation. The Greek Army is small and poorly equipped. It needs supplies and equipment if it is to restore authority to the Government throughout Greek territory.

Greece must have assistance if it is to become a self-supporting and self-respecting democracy.

The United States must supply that assistance. We have already extended to Greece certain types of relief and economic aid, but these are inadequate.

There is no other country to which democratic Greece can turn.

No other nation is willing and able to provide the necessary support for a democratic Greek Government.

The British Government, which has been helping Greece, can give no further financial or economic aid after March 31. Great Britain finds itself under the necessity of reducing or liquidating its commitments in several parts of the world, including Greece.

We have considered how the United Nations might assist in this crisis. But the situation is an urgent one requiring immediate action, and the United Nations and its related organizations are not in a position to extend help of the kind that is required.

It is important to note that the Greek Government has asked for our aid in utilizing effectively the financial and other assistance we may give to Greece, and in improving its public administration. It is of the utmost importance that we supervise the use of any funds made available to Greece, in such a manner that each dollar spent will count toward making Greece self-supporting, and will help to build an economy in which a healthy democracy can flourish.

No government is perfect. One of the chief virtues of a democracy, however, is that its defects are always visible and under democratic processes can be pointed out and corrected. The Government of Greece is not perfect. Nevertheless it represents 85 percent of the members of the Greek Parliament who were chosen in an election last year. Foreign observers, including 692 Americans, considered this election to be a fair expression of the views of the Greek people.

The Greek Government has been operating in an atmosphere of chaos and extremism. It has made mistakes. The extension of aid by this country does not mean that the United States condones everything that the Greek Government has done or will do. We have condemned in the past, and we condemn now, extremist measures of the right or the left. We have in the past advised tolerance, and we advise tolerance now.

Greece's neighbor, Turkey, also deserves our attention.

The future of Turkey as an independent and economically sound state is clearly no less important to the freedom-loving peoples of the world than the future of Greece. The circumstances in which Turkey finds itself today are considerably different from those of Greece. Turkey has been spared the disasters that have beset Greece. And during the war the United States and Great Britain furnished Turkey with material aid.

Nevertheless, Turkey now needs our support.

Since the war Turkey has sought additional financial assistance from Great Britain and the United States for the purpose of effecting that modernization necessary for the maintenance of its national integrity.

That integrity is essential to the preservation of order in the Middle East.

The British Government has informed us that, owing to its own difficulties, it can no longer extend financial or economic aid to Turkey.

As in the case of Greece, if Turkey is to have the assistance it needs, the United States must supply it. We are the only country able to provide that help.

I am fully aware of the broad implications involved if the United States extends assistance to Greece and Turkey, and I shall discuss these implications with you at this time.

One of the primary objectives of the foreign policy of the United States is the creation of conditions in which we and other nations will be able to work out a way of life free from coercion. This was a fundamental issue in the war with Germany and Japan. Our victory was won over countries which sought to impose their will, and their way of life, upon other nations.

To insure the peaceful development of nations, free from coercion, the United States has taken a leading part in establishing the United Nations. The United Nations is designed to make possible lasting freedom and independence for all its members. We shall not realize our objectives, however, unless we are willing to help free peoples to maintain their free institutions and their national integrity against aggressive movements that seek to impose upon them totalitarian regimes. This is no more than a frank recognition that totalitarian regimes imposed upon free peoples, by direct or indirect aggression, undermine the foundations of international peace and hence the security of the United States.

The peoples of a number of countries of



the world have recently had totalitarian regimes forced upon them against their will. The Government of the United States has made frequent protests against coercion and intimidation, in violation of the Yalta Agreement, in Poland, Rumania, and Bulgaria. I must also state that in a number of other countries there have been similar developments.

At the present moment in world history nearly every nation must choose between alternative ways of life. The choice is too often not a free one.

One way of life is based upon the will of the majority, and is distinguished by free institutions, representative government, free elections, guaranties of individual liberty, freedom of speech and religion, and freedom from political oppression.

The second way of life is based upon the will of a minority forcibly imposed upon the majority. It relies upon terror and oppression, a controlled press and radio, fixed elections, and the suppression of personal freedoms.

I believe that it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures.

I believe that we must assist free peoples to work out their own destinies in their own way.

I believe that our help should be primarily through economic and financial aid which is essential to economic stability and orderly political processes.

The world is not static, and the *status quo* is not sacred. But we cannot allow changes in the *status quo* in violation of the Charter of the United Nations by such methods as coercion, or by such subterfuge as political infiltration. In helping free

and independent nations to maintain their freedom, the United States will be giving effect to the principles of the Charter of the United Nations.

It is necessary only to glance at a map to realize that the survival and integrity of the Greek nation are of grave importance in a much wider situation. If Greece should fall under the control of an armed minority, the effect upon its neighbor, Turkey, would be immediate and serious. Confusion and disorder might well spread throughout the entire Middle East.

Moreover, the disappearance of Greece as an independent state would have a profound effect upon those countries in Europe whose peoples are struggling against great difficulties to maintain their freedoms and their independence while they repair the damages of war.

It would be an unspeakable tragedy if these countries, which have struggled so long against overwhelming odds, should lose that victory for which they sacrificed so much. Collapse of free institutions and loss of independence would be disastrous not only for them but for the world. Discouragement and possibly failure would quickly be the lot of neighboring peoples striving to maintain their freedom and independence.

Should we fail to aid Greece and Turkey in this fateful hour, the effect will be far-reaching to the West as well as to the East.

We must take immediate and resolute action.

I therefore ask the Congress to provide authority for assistance to Greece and Turkey in the amount of \$400,000,000 for the period ending June 30, 1948.<sup>1</sup> In re-

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<sup>1</sup> See Public Law 75, 80th Cong., 1st sess.



requesting these funds, I have taken into consideration the maximum amount of relief assistance which would be furnished to Greece out of the \$350,000,000 which I recently requested that the Congress authorize for the prevention of starvation and suffering in countries devastated by the war.

In addition to funds, I ask the Congress to authorize the detail of American civilian and military personnel to Greece and Turkey, at the request of those countries, to assist in the tasks of reconstruction, and for the purpose of supervising the use of such financial and material assistance as may be furnished. I recommend that authority also be provided for the instruction and training of selected Greek and Turkish personnel.

Finally, I ask that the Congress provide authority which will permit the speediest and most effective use, in terms of needed commodities, supplies, and equipment, of such funds as may be authorized.

If further funds, or further authority, should be needed for purposes indicated in this message, I shall not hesitate to bring the situation before the Congress. On this subject the Executive and Legislative branches of the Government must work together.

This is a serious course upon which we embark.

I would not recommend it except that the alternative is much more serious.

The United States contributed \$341,000,000,000 toward winning World War II. This is an investment in world freedom and world peace.

The assistance that I am recommending for Greece and Turkey amounts to little more than one tenth of one percent of this investment. It is only common sense that we should safeguard this investment and make sure that it was not in vain.

The seeds of totalitarian regimes are nurtured by misery and want. They spread and grow in the evil soil of poverty and strife. They reach their full growth when the hope of a people for a better life has died.

We must keep that hope alive.

The free peoples of the world look to us for support in maintaining their freedoms.

If we falter in our leadership, we may endanger the peace of the world—and we shall surely endanger the welfare of our own Nation.

Great responsibilities have been placed upon us by the swift movement of events.

I am confident that the Congress will face these responsibilities squarely.

# *European Recovery Program: Remarks by the Secretary of State at Harvard University, June 5, 1947*

I need not tell you gentlemen that the world situation is very serious. That must be apparent to all intelligent people. I think one difficulty is that the problem is one of such enormous complexity that the very mass of facts presented to the public by press and radio make it exceedingly difficult for the man in the street to reach a clear appraisal of the situation. Furthermore, the people of this country are distant from the troubled areas of the earth and it is hard for them to comprehend the plight and consequent reactions of the long-suffering peoples, and the effect of those reactions on their governments in connection with our efforts to promote peace in the world.

In considering the requirements for the rehabilitation of Europe, the physical loss of life, the visible destruction of cities, factories, mines, and railroads was correctly estimated, but it has become obvious during recent months that this visible destruction was probably less serious than the dislocation of the entire fabric of European economy. For the past 10 years conditions have been highly abnormal. The feverish preparation for war and the more feverish maintenance of the war effort engulfed all aspects of national economies. Machinery has fallen into disrepair or is entirely obsolete. Under the arbitrary and destructive Nazi rule, virtually every possible enterprise was geared into the German war machine. Long-standing commercial ties, private in-

stitutions, banks, insurance companies, and shipping companies disappeared, through loss of capital, absorption through nationalization, or by simple destruction. In many countries, confidence in the local currency has been severely shaken. The breakdown of the business structure of Europe during the war was complete. Recovery has been seriously retarded by the fact that two years after the close of hostilities a peace settlement with Germany and Austria has not been agreed upon. But even given a more prompt solution of these difficult problems, the rehabilitation of the economic structure of Europe quite evidently will require a much longer time and greater effort than had been foreseen.

There is a phase of this matter which is both interesting and serious. The farmer has always produced the foodstuffs to exchange with the city dweller for the other necessities of life. This division of labor is the basis of modern civilization. At the present time it is threatened with breakdown. The town and city industries are not producing adequate goods to exchange with the food-producing farmer. Raw materials and fuel are in short supply. Machinery is lacking or worn out. The farmer or the peasant cannot find the goods for sale which he desires to purchase. So the sale of his farm produce for money which he cannot use seems to him an unprofitable transaction. He, therefore, has withdrawn

many fields from crop cultivation and is using them for grazing. He feeds more grain to stock and finds for himself and his family an ample supply of food, however short he may be on clothing and the other ordinary gadgets of civilization. Meanwhile people in the cities are short of food and fuel. So the governments are forced to use their foreign money and credits to procure these necessities abroad. This process exhausts funds which are urgently needed for reconstruction. Thus a very serious situation is rapidly developing which bodes no good for the world. The modern system of the division of labor upon which the exchange of products is based is in danger of breaking down.

The truth of the matter is that Europe's requirements for the next three or four years of foreign food and other essential products—principally from America—are so much greater than her present ability to pay that she must have substantial additional help or face economic, social, and political deterioration of a very grave character.

The remedy lies in breaking the vicious circle and restoring the confidence of the European people in the economic future of their own countries and of Europe as a whole. The manufacturer and the farmer throughout wide areas must be able and willing to exchange their products for currencies, the continuing value of which is not open to question.

Aside from the demoralizing effect on the world at large and the possibilities of disturbances arising as a result of the desperation of the people concerned, the consequences to the economy of the United States should be apparent to all. It is logical that the United States should do whatever it is able to do to assist in the return of normal

economic health in the world, without which there can be no political stability and no assured peace. Our policy is directed not against any country or doctrine but against hunger, poverty, desperation, and chaos. Its purpose should be the revival of a working economy in the world so as to permit the emergence of political and social conditions in which free institutions can exist. Such assistance, I am convinced, must not be on a piecemeal basis as various crises develop. Any assistance that this Government may render in the future should provide a cure rather than a mere palliative. Any government that is willing to assist in the task of recovery will find full cooperation, I am sure, on the part of the United States Government. Any government which maneuvers to block the recovery of other countries cannot expect help from us. Furthermore, governments, political parties, or groups which seek to perpetuate human misery in order to profit therefrom politically or otherwise will encounter the opposition of the United States.

It is already evident that, before the United States Government can proceed much further in its efforts to alleviate the situation and help start the European world on its way to recovery, there must be some agreement among the countries of Europe as to the requirements of the situation and the part those countries themselves will take in order to give proper effect to whatever action might be undertaken by this Government. It would be neither fitting nor efficacious for this Government to undertake to draw up unilaterally a program designed to place Europe on its feet economically. This is the business of the Europeans. The initiative, I think, must come from Europe.



The role of this country should consist of friendly aid in the drafting of a European program and of later support of such a program so far as it may be practical for us to do so. The program should be a joint one, agreed to by a number, if not all, European nations.

An essential part of any successful action on the part of the United States is an under-

standing on the part of the people of America of the character of the problem and the remedies to be applied. Political passion and prejudice should have no part. With foresight, and a willingness on the part of our people to face up to the vast responsibility which history has clearly placed upon our country, the difficulties I have outlined can and will be overcome.

## *Technical Assistance Program: Inaugural address of the President, January 20, 1949 (Excerpt)*

(Point Four Program)

Fourth, we must embark on a bold new program for making the benefits of our scientific advances and industrial progress available for the improvement and growth of underdeveloped areas.

More than half the people of the world are living in conditions approaching misery. Their food is inadequate. They are victims of disease. Their economic life is primitive and stagnant. Their poverty is a handicap and a threat both to them and to more prosperous areas.

For the first time in history, humanity possesses the knowledge and the skill to relieve the suffering of these people.

The United States is preeminent among nations in the development of industrial and scientific techniques. The material resources which we can afford to use for the assistance of other peoples are limited. But our imponderable resources in technical knowledge are constantly growing and are inexhaustible.

I believe that we should make available to peace-loving peoples the benefits of our store of technical knowledge in order to help them realize their aspirations for a better life. And, in cooperation with other nations, we should foster capital investment in areas needing development.

Our aim should be to help the free peoples of the world, through their own efforts, to produce more food, more clothing, more materials for housing, and more mechanical power to lighten their burdens.

We invite other countries to pool their technological resources in this undertaking. Their contributions will be warmly welcomed. This should be a cooperative enterprise in which all nations work together through the United Nations and its specialized agencies wherever practicable. It must be a world-wide effort for the achievement of peace, plenty, and freedom.

With the cooperation of business, private capital, agriculture, and labor in this coun-

try, this program can greatly increase the industrial activity in other nations and can raise substantially their standards of living.

Such new economic developments must be devised and controlled to benefit the peoples of the areas in which they are established. Guarantees to the investor must be balanced by guarantees in the interest of the people whose resources and whose labor go into these developments.

The old imperialism—exploitation for foreign profit—has no place in our plans. What we envisage is a program of development based on the concepts of democratic fair-dealing.

All countries, including our own, will greatly benefit from a constructive program for the better use of the world's human and natural resources. Experience shows that

our commerce with other countries expands as they progress industrially and economically.

Greater production is the key to prosperity and peace. And the key to greater production is a wider and more vigorous application of modern scientific and technical knowledge.

Only by helping the least fortunate of its members to help themselves can the human family achieve the decent, satisfying life that is the right of all people.

Democracy alone can supply the vitalizing force to stir the peoples of the world into triumphant action, not only against their human oppressors, but also against their ancient enemies—hunger, misery, and despair.

. . . . .

## *Collective Defense*

### INTER-AMERICAN TREATY OF RECIPROCAL ASSISTANCE, SEPTEMBER 2, 1947

(Rio Pact)

In the name of their Peoples, the Governments represented at the Inter-American Conference for the Maintenance of Continental Peace and Security, desirous of consolidating and strengthening their relations of friendship and good neighborliness, and

CONSIDERING:

That Resolution VIII of the Inter-American Conference on Problems of War and Peace, which met in Mexico City, recommended the conclusion of a treaty to prevent and repel threats and acts of aggres-

sion against any of the countries of America;

That the High Contracting Parties reiterate their will to remain united in an inter-American system consistent with the purposes and principles of the United Nations, and reaffirm the existence of the agreement which they have concluded concerning those matters relating to the maintenance of international peace and security which are appropriate for regional action;

That the High Contracting Parties re-

affirm their adherence to the principles of inter-American solidarity and cooperation, and especially to those set forth in the preamble and declarations of the Act of Chapultepec, all of which should be understood to be accepted as standards of their mutual relations and as the juridical basis of the Inter-American System;

That the American States propose, in order to improve the procedures for the pacific settlement of their controversies, to conclude the treaty concerning the "Inter-American Peace System" envisaged in Resolutions IX and XXXIX of the Inter-American Conference on Problems of War and Peace;

That the obligation of mutual assistance and common defense of the American Republics is essentially related to their democratic ideals and to their will to cooperate permanently in the fulfillment of the principles and purposes of a policy of peace;

That the American regional community affirms as a manifest truth that juridical organization is a necessary prerequisite of security and peace, and that peace is founded on justice and moral order and, consequently, on the international recognition and protection of human rights and freedoms, on the indispensable well-being of the people, and on the effectiveness of democracy for the international realization of justice and security,

Have resolved, in conformity with the objectives stated above, to conclude the following Treaty, in order to assure peace, through adequate means, to provide for effective reciprocal assistance to meet armed attacks against any American State, and in order to deal with threats of aggression against any of them:

## ARTICLE 1

The High Contracting Parties formally condemn war and undertake in their international relations not to resort to the threat or the use of force in any manner inconsistent with the provisions of the Charter of the United Nations or of this Treaty.

## ARTICLE 2

As a consequence of the principle set forth in the preceding Article, the High Contracting Parties undertake to submit every controversy which may arise between them to methods of peaceful settlement and to endeavor to settle any such controversy among themselves by means of the procedures in force in the Inter-American System before referring it to the General Assembly or the Security Council of the United Nations.

## ARTICLE 3

1. The High Contracting Parties agree that an armed attack by any State against an American State shall be considered as an attack against all the American States and, consequently, each one of the said Contracting Parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations.

2. On the request of the State or States directly attacked and until the decision of the Organ of Consultation of the Inter-American System, each one of the Contracting Parties may determine the immediate measures which it may individually take in fulfillment of the obligation contained in the preceding paragraph and in accordance with the principle of continental solidarity. The Organ of Consultation shall meet without delay for the purpose of examining those measures and agreeing upon the measures



of a collective character that should be taken.

3. The provisions of this Article shall be applied in case of any armed attack which takes place within the region described in Article 4 or within the territory of an American State. When the attack takes place outside of the said areas, the provisions of Article 6 shall be applied.

4. Measures of self-defense provided for under this Article may be taken until the Security Council of the United Nations has taken the measures necessary to maintain international peace and security.

#### ARTICLE 4

The region to which this Treaty refers is bounded as follows: beginning at the North Pole; thence due south to a point 74 degrees north latitude, 10 degrees west longitude; thence by a rhumb line to a point 47 degrees 30 minutes north latitude, 50 degrees west longitude; thence by a rhumb line to a point 35 degrees north latitude, 60 degrees west longitude; thence due south to a point in 20 degrees north latitude; thence by a rhumb line to a point 5 degrees north latitude, 24 degrees west longitude; thence due south to the South Pole; thence due north to a point 30 degrees south latitude, 90 degrees west longitude; thence by a rhumb line to a point on the Equator at 97 degrees west longitude; thence by a rhumb line to a point 15 degrees north latitude, 120 degrees west longitude; thence by a rhumb line to a point 50 degrees north latitude, 170 degrees east longitude; thence due north to a point in 54 degrees north latitude; thence by a rhumb line to a point 65 degrees 30 minutes north latitude, 168 degrees 58 minutes 5 seconds west longitude; thence due north to the North Pole.

#### ARTICLE 5

The High Contracting Parties shall immediately send to the Security Council of the United Nations, in conformity with Articles 51 and 54 of the Charter of the United Nations, complete information concerning the activities undertaken or in contemplation in the exercise of the right of self-defense or for the purpose of maintaining inter-American peace and security.

#### ARTICLE 6

If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack or by an extra-continental or intra-continental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the Continent.

#### ARTICLE 7

In the case of a conflict between two or more American States, without prejudice to the right of self-defense in conformity with Article 51 of the Charter of the United Nations, the High Contracting Parties, meeting in consultation shall call upon the contending States to suspend hostilities and restore matters to the *statu quo ante bellum*, and shall take in addition all other necessary measures to reestablish or maintain inter-American peace and security and for the solution of the conflict by peaceful means. The rejection of the pacifying ac-

tion will be considered in the determination of the aggressor and in the application of the measures which the consultative meeting may agree upon.

#### ARTICLE 8

For the purposes of this Treaty, the measures on which the Organ of Consultation may agree will comprise one or more of the following: recall of chiefs of diplomatic missions; breaking of diplomatic relations; breaking of consular relations; partial or complete interruption of economic relations or of rail, sea, air, postal, telegraphic, telephonic, and radiotelephonic or radiotelegraphic communications; and use of armed force.

#### ARTICLE 9

In addition to other acts which the Organ of Consultation may characterize aggression, the following shall be considered as such:

*a.* Unprovoked armed attack by a State against the territory, the people, or the land, sea, or air forces of another State;

*b.* Invasion, by the armed forces of a State, of the territory of an American State, through the trespassing of boundaries demarcated in accordance with a treaty, judicial decision, or arbitral award, or, in the absence of frontiers thus demarcated, invasion affecting a region which is under the effective jurisdiction of another State.

#### ARTICLE 10

None of the provisions of this Treaty shall be construed as impairing the rights and obligations of the High Contracting Parties under the Charter of the United Nations.

#### ARTICLE 11

The consultations to which this Treaty refers shall be carried out by means of the

Meetings of Ministers of Foreign Affairs of the American Republics which have ratified the Treaty, or in the manner or by the organ which in the future may be agreed upon.

#### ARTICLE 12

The Governing Board of the Pan American Union may act provisionally as an organ of consultation until the meeting of the Organ of Consultation referred to in the preceding Article takes place.

#### ARTICLE 13

The consultations shall be initiated at the request addressed to the Governing Board of the Pan American Union by any of the Signatory States which has ratified the Treaty.

#### ARTICLE 14

In the voting referred to in this Treaty only the representatives of the Signatory States which have ratified the Treaty may take part.

#### ARTICLE 15

The Governing Board of the Pan American Union shall act in all matters concerning this Treaty as an organ of liaison among the Signatory States which have ratified this Treaty and between these States and the United Nations.

#### ARTICLE 16

The decisions of the Governing Board of the Pan American Union referred to in Articles 13 and 15 above shall be taken by an absolute majority of the Members entitled to vote.

#### ARTICLE 17

The Organ of Consultation shall take its decisions by a vote of two-thirds of the Signatory States which have ratified the Treaty.

#### ARTICLE 18

In the case of a situation or dispute between American States, the parties directly interested shall be excluded from the voting referred to in the two preceding Articles.

#### ARTICLE 19

To constitute a quorum in all the meetings referred to in the previous Articles, it shall be necessary that the number of States represented shall be at least equal to the number of votes necessary for the taking of the decision.

#### ARTICLE 20

Decisions which require the application of the measures specified in Article 8 shall be binding upon all the Signatory States which have ratified this Treaty, with the sole exception that no State shall be required to use armed force without its consent.

#### ARTICLE 21

The measures agreed upon by the Organ of Consultation shall be executed through the procedures and agencies now existing or those which may in the future be established.

#### ARTICLE 22

This Treaty shall come into effect between the States which ratify it as soon as the ratifications of two-thirds of the Signatory States have been deposited.

#### ARTICLE 23

This Treaty is open for signature by the American States at the city of Rio de Janeiro, and shall be ratified by the Signatory States as soon as possible in accordance with their respective constitutional processes. The ratifications shall be deposited with the Pan American Union, which shall

notify the Signatory States of each deposit. Such notification shall be considered as an exchange of ratifications.

#### ARTICLE 24

The present Treaty shall be registered with the Secretariat of the United Nations through the Pan American Union, when two-thirds of the Signatory States have deposited their ratifications.

#### ARTICLE 25

This Treaty shall remain in force indefinitely, but may be denounced by any High Contracting Party by a notification in writing to the Pan American Union, which shall inform all the other High Contracting Parties of each notification of denunciation received. After the expiration of two years from the date of the receipt by the Pan American Union of a notification of denunciation by any High Contracting Party, the present Treaty shall cease to be in force with respect to such State, but shall remain in full force and effect with respect to all the other High Contracting Parties.

#### ARTICLE 26

The principles and fundamental provisions of this Treaty shall be incorporated in the Organic Pact of the Inter-American System.

In witness whereof, the undersigned Plenipotentiaries, having deposited their full powers found to be in due and proper form, sign this Treaty on behalf of their respective Governments, on the dates appearing opposite their signatures.

Done in the city of Rio de Janeiro, in four texts respectively in the English, French, Portuguese and Spanish languages, on the second of September nineteen hundred forty-seven.



### *Reservation of Honduras:*

The Delegation of Honduras, in signing the present Treaty and in connection with Article 9, section (b), does so with the reservation that the boundary between Honduras and Nicaragua is definitely demarcated by the Joint Boundary Commission of nineteen hundred and nineteen hundred and one, starting from a point in the Gulf

of Fonseca, in the Pacific Ocean, to Portillo de Teotecacinte and, from this point to the Atlantic, by the line that His Majesty the King of Spain's arbitral award established on the twenty third of December of nineteen hundred and six.

[Here follow the signatures to the Treaty.]

## NORTH ATLANTIC TREATY, APRIL 4, 1949

### PREAMBLE

The Parties to this Treaty<sup>1</sup> reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments.

They are determined to safeguard the freedom, common heritage and civilization of their peoples, founded on the principles of democracy, individual liberty and the rule of law.

They seek to promote stability and well-being in the North Atlantic area.

They are resolved to unite their efforts for collective defense and for the preservation of peace and security.

They therefore agree to this North Atlantic Treaty:

### ARTICLE 1

The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered, and to re-

<sup>1</sup> Belgium, Canada, Denmark, France, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, United Kingdom, and United States.

frain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

### ARTICLE 2

The Parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them.

### ARTICLE 3

In order more effectively to achieve the objectives of this Treaty, the Parties, separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack.

### ARTICLE 4

The Parties will consult together whenever, in the opinion of any of them, the ter-

ritorial integrity, political independence or security of any of the Parties is threatened.

#### ARTICLE 5

The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all; and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

#### ARTICLE 6

For the purpose of Article 5 an armed attack on one or more of the Parties is deemed to include an armed attack on the territory of any of the Parties in Europe or North America, on the Algerian departments of France, on the occupation forces of any Party in Europe, on the islands under the jurisdiction of any Party in the North Atlantic area north of the Tropic of Cancer or on the vessels or aircraft in this area of any of the Parties.

#### ARTICLE 7

This Treaty does not affect, and shall not be interpreted as affecting, in any way the

rights and obligations under the Charter of the Parties which are members of the United Nations, or the primary responsibility of the Security Council for the maintenance of international peace and security.

#### ARTICLE 8

Each Party declares that none of the international engagements now in force between it and any other of the Parties or any third state is in conflict with the provisions of this Treaty, and undertakes not to enter into any international engagement in conflict with this Treaty.

#### ARTICLE 9

The Parties hereby establish a council, on which each of them shall be represented, to consider matters concerning the implementation of this Treaty. The council shall be so organized as to be able to meet promptly at any time. The council shall set up such subsidiary bodies as may be necessary; in particular it shall establish immediately a defense committee which shall recommend measures for the implementation of Articles 3 and 5.

#### ARTICLE 10

The Parties may, by unanimous agreement, invite any other European state in a position to further the principles of this Treaty and to contribute to the security of the North Atlantic area to accede to this Treaty. Any state so invited may become a party to the Treaty by depositing its instrument of accession with the Government of the United States of America. The Government of the United States of America will inform each of the Parties of the deposit of each such instrument of accession.

#### ARTICLE 11

This Treaty shall be ratified and its provisions carried out by the Parties in accordance with their respective constitutional processes. The instruments of ratification shall be deposited as soon as possible with the Government of the United States of America, which will notify all the other signatories of each deposit. The Treaty shall enter into force between the states which have ratified it as soon as the ratifications of the majority of the signatories, including the ratifications of Belgium, Canada, France, Luxembourg, the Netherlands, the United Kingdom and the United States, have been deposited and shall come into effect with respect to other states on the date of the deposit of their ratifications.

#### ARTICLE 12

After the Treaty has been in force for ten years, or at any time thereafter, the Parties shall, if any of them so requests, consult together for the purpose of reviewing the Treaty, having regard for the factors then affecting peace and security in the

North Atlantic area, including the development of universal as well as regional arrangements under the Charter of the United Nations for the maintenance of international peace and security.

#### ARTICLE 13

After the Treaty has been in force for twenty years, any Party may cease to be a party one year after its notice of denunciation has been given to the Government of the United States of America, which will inform the Governments of the other Parties of the deposit of each notice of denunciation.

#### ARTICLE 14

This Treaty, of which the English and French texts are equally authentic, shall be deposited in the archives of the Government of the United States of America. Duly certified copies thereof will be transmitted by that Government to the Governments of the other signatories.

In witness whereof, the undersigned plenipotentiaries have signed this Treaty.

Done at Washington, the fourth day of April, 1949.

## *Control and Reduction of Armaments*

### ADDRESS BY THE PRESIDENT BEFORE THE UNITED NATIONS GENERAL ASSEMBLY, OCTOBER 24, 1950 (Excerpt)

. . . . .  
We intend to build up strength for peace as long as that is necessary. But at the same time we must continue to strive, through the United Nations, to achieve international control of atomic energy and the

reduction of armaments and armed forces. Cooperative and effective disarmament would make the danger of war remote. It would be a way of achieving the high purposes of the United Nations without the tremendous expenditures for armaments which



conditions in the world today make imperative.

Disarmament is the course which the United States would prefer to take. It is the course which most nations would like to adopt. It is the course which the United Nations from its earliest beginnings has been seeking to follow.

For nearly five years, two commissions of the United Nations have been working on the problem of disarmament. One commission has been concerned with the elimination of atomic weapons and the other with the reduction of other types of armaments and of armed forces. Thus far, these commissions have not been successful in obtaining agreement among all the major powers. Nevertheless, these years of effort have served to bring to the attention of all nations the three basic principles upon which any successful plan of disarmament must rest.

*First*, the plan must include all kinds of weapons. Outlawing any particular kind of weapon is not enough. The conflict in Korea bears tragic witness to the fact that aggression, whatever the weapons used, brings frightful destruction.

*Second*, the plan must be based on unanimous agreement. A majority of nations is not enough. No plan of disarmament can work unless it includes every nation having substantial armed forces. One-sided disarmament is a sure invitation to aggression.

*Third*, the plan must be foolproof. Paper promises are not enough. Disarmament must be based on safeguards which

will insure the compliance of all nations. The safeguards must be adequate to give immediate warning of any threatened violation. Disarmament must be policed continuously and thoroughly. It must be founded upon free and open interchange of information across national borders.

These are simple, practical principles. If they were accepted and carried out, genuine disarmament would be possible.

It is true that, even if initial agreement were reached, tremendous difficulties would remain. The task of working out the successive steps would still be a complex one and would take a long time and much effort. But the fact that this process is so complex and so difficult is no reason for us to give up hope of ultimate success.

The will of the world for peace is too strong to allow us to give up in this effort. We cannot permit the history of our times to record that we failed by default. We must explore every avenue which offers any chance of bringing success to the activities of the United Nations in this vital area.

Much valuable work has already been done by the two disarmament commissions on the different technical problems confronting them. I believe it would be useful to explore ways in which the work of these commissions could now be more closely brought together. One possibility to be considered is whether their work might be revitalized if carried forward in the future through a new and consolidated disarmament commission.

. . . . .

## RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY, DECEMBER 13, 1950

The General Assembly,

RECOGNIZING that the effective regulation and reduction of national armaments would substantially diminish the present danger of war, relieve the heavy economic burden placed upon the peoples of the world in the absence of a system of armaments control, and permit the greater use of man's resources to projects devoted to his betterment,

RECOGNIZING that the regulation and reduction of armaments to be effective must cover weapons of all kinds, must be based on unanimous agreement, and so must include every nation having substantial armaments and armed forces,

RECOGNIZING further that any plan for the regulation and reduction of armaments and armed forces must be based upon safeguards that will secure the compliance of all nations,

RECOGNIZING the inability to date to achieve agreement among nations on the elimination of atomic weapons under a system of effective international control of atomic energy and on the regulation and

reduction of other armaments and armed forces,

RECALLING that a plan has been developed in the United Nations Atomic Energy Commission, and approved by the General Assembly, for the international control of atomic energy, which would make effective the prohibition of atomic weapons; and that much useful planning work has been accomplished in the Commission for Conventional Armaments,

DESIRING, however, to carry this work forward toward a comprehensive system of armaments control,

*Decides* to establish a committee of twelve, consisting of representatives of the members of the Security Council as of 1 January 1951, together with Canada, to consider and report to the next regular session of the General Assembly on ways and means whereby the work of the Atomic Energy Commission and the Commission for Conventional Armaments may be coordinated and on the advisability of their functions being merged and placed under a new and consolidated disarmament commission.

# *Information and Education Program*

## FULBRIGHT ACT<sup>1</sup>

AN ACT to amend the Surplus Property Act of 1944 to designate the Department of State as the disposal agency for surplus property outside the continental United States, its Territories and possessions, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 10 of the Surplus Property Act of 1944, as amended, is hereby amended by adding a new subsection (c) to read as follows:

“(c) Except as provided in subsection (b) of this section, the Department of State shall be the sole disposal agency for surplus property located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, and with respect to such property the Secretary of State shall exercise the functions heretofore conferred upon the Surplus Property Administrator by Public Law 181, Seventy-ninth Congress. The Secretary of State shall, subject to the provisions of the War Mobilization and Reconversion Act of 1944, have sole responsibility for carrying out the provisions of the Surplus Property Act of 1944, with respect to surplus property located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands.”

SEC. 2. Section 32 (b) of such Act, as amended, is hereby amended to read as follows:

“(b) (1) The provisions of this Act shall

be applicable to disposition of property within the United States and elsewhere, but the Secretary of State may exempt from some or all of the provisions hereof dispositions of property located outside of the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, whenever he deems that such provisions would obstruct the efficient and economic disposition of such property in accordance with the objectives of this Act. In addition to the authority conferred by section 15 of this Act, the Department of State may dispose of surplus property located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, for foreign currencies or credits, or substantial benefits or the discharge of claims resulting from the compromise, or settlement of such claims by any Government agency in accordance with the law, whenever the Secretary of State determines that it is in the interest of the United States to do so and upon such terms and conditions as he may deem proper. Any foreign currencies or credits acquired by the Department of State pursuant to this subsection shall be administered in accordance with procedures that may from time to time be established by the Secretary of the Treasury and, if and when reduced to United States currency, shall be covered into the Treasury as miscellaneous receipts.

“(2) In carrying out the provisions of this section, the Secretary of State is hereby

<sup>1</sup> Approved Aug. 1, 1946 (Public Law 584, 79th Cong., 2d sess.).



authorized to enter into an executive agreement or agreements with any foreign government for the use of currencies, or credits for currencies, of such government acquired as a result of such surplus property disposals, for the purpose of providing, by the formation of foundations or otherwise, for (A) financing studies, research, instruction, and other educational activities of or for American citizens in schools and institutions of higher learning located in such foreign country, or of the citizens of such foreign country in American schools and institutions of higher learning located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, including payment for transportation, tuition, maintenance, and other expenses incident to scholastic activities; or (B) furnishing transportation for citizens of such foreign country who desire to attend American schools and institutions of higher learning in the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, and whose attendance will not deprive citizens of the United States of an opportunity to attend such schools and institutions: *Provided, however*, That no such agreement or agreements shall provide for the use of an aggregate amount of the currencies, or credits for currencies, of any one country in excess of \$20,000,000 or for the expenditure of the currencies, or credits for currencies, of any one foreign country in excess of \$1,000,000 annually at the official rate of exchange for such currencies, unless otherwise authorized by Congress, nor shall any such agreement relate to any subject other than the use and expenditure of such currencies or credits for currencies for the purposes herein set

forth: *Provided further*, That for the purpose of selecting students and educational institutions qualified to participate in this program, and to supervise the exchange program authorized herein, the President of the United States is hereby authorized to appoint a Board of Foreign Scholarships, consisting of ten members, who shall serve without compensation, composed of representatives of cultural, educational, student and war veterans groups, and including representatives of the United States Office of Education, the United States Veterans' Administration, State educational institutions, and privately endowed educational institutions: *And Provided further*, That in the selection of American citizens for study in foreign countries under this paragraph preference shall be given to applicants who shall have served in the military or naval forces of the United States during World War I or World War II, and due consideration shall be given to applicants from all geographical areas of the United States. The Secretary of State shall transmit to the Congress not later than the 1st day of March of each year a report of operations under this paragraph during the preceding calendar year. Such report shall include the text of any agreements which have been entered into hereunder during the preceding calendar year, and shall specify the names and addresses of American citizens who are attending schools or institutions of higher learning in foreign countries pursuant to such agreements, the names and locations of such schools and institutions, and the amounts of the currencies or credits for currencies expended for any of the purposes under this paragraph in each such foreign country during the preceding calendar year."

Approved August 1, 1946.

# UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948<sup>1</sup> (Excerpt)

AN ACT to promote the better understanding of the United States among the peoples of the world and to strengthen cooperative international relations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## TITLE I—SHORT TITLE, OBJECTIVES, AND DEFINITIONS

### SHORT TITLE

SECTION 1. This Act may be cited as the “United States Information and Educational Exchange Act of 1948”.

### OBJECTIVES

SEC. 2. The Congress hereby declares that the objectives of this Act are to enable the Government of the United States to promote a better understanding of the United States in other countries, and to increase mutual understanding between the people of the United States and the people of other countries. Among the means to be used in achieving these objectives are—

(1) an information service to disseminate abroad information about the United States, its people, and policies promulgated by the Congress, the President, the Secretary of State and other responsible officials of Government having to do with matters affecting foreign affairs;

(2) an educational exchange service to cooperate with other nations in—

(a) the interchange of persons, knowledge, and skills;

(b) the rendering of technical and other services;

(c) the interchange of developments in the field of education, the arts, and sciences.

### UNITED NATIONS

SEC. 3. In carrying out the objectives of this Act, information concerning the participation of the United States in the United Nations, its organizations and functions, shall be emphasized.

### DEFINITIONS

SEC. 4. When used in this Act, the term—

(1) “Secretary” means the Secretary of State.

(2) “Department” means the Department of State.

(3) “Government agency” means any executive department, board, bureau, commission, or other agency of the Federal Government, or independent establishment, or any corporation wholly owned (either directly or through one or more corporations) by the United States.

## TITLE II—INTERCHANGE OF PERSONS, KNOWLEDGE AND SKILLS

### PERSONS

SEC. 201. The Secretary is authorized to provide for interchanges on a reciprocal basis between the United States and other countries of students, trainees, teachers, guest instructors, professors, and leaders in fields of specialized knowledge or skill and shall wherever possible provide these interchanges by using the services of existing reputable agencies which are successfully

<sup>1</sup> Approved Jan. 27, 1948 (Public Law 402, 80th Cong., 2d sess.).



engaged in such activity. The Secretary may provide for orientation courses and other appropriate services for such persons from other countries upon their arrival in the United States, and for such persons going to other countries from the United States. When any country fails or refuses to cooperate in such program on a basis of reciprocity the Secretary shall terminate or limit such program, with respect to such country, to the extent he deems to be advisable in the interests of the United States. The persons specified in this section shall be admitted as nonimmigrant visitors for business under clause 2 of section 3 of the Immigration Act of 1924, as amended (43 Stat. 154; 8 U. S. C. 203), for such time and under such conditions as may be prescribed by regulations promulgated by the Secretary of State and the Attorney General. A person admitted under this section who fails to maintain the status under which he was admitted or who fails to depart from the United States at the expiration of the time for which he was admitted, or who engages in activities of a political nature detrimental to the interests of the United States, or in activities not consistent with the security of the United States, shall, upon the warrant of the Attorney General, be taken into custody and promptly deported pursuant to section 14 of the Immigration Act of 1924 (43 Stat. 162, 8 U. S. C. 214). Deportation proceedings under this section shall be summary and the findings of the Attorney General as to matters of fact shall be conclusive. Such persons shall not be eligible for suspension of deportation under clause 2 of subdivision (c) of section 19 of the Immigration Act of February 5, 1917 (54 Stat. 671, 56 Stat. 1044; 8 U. S. C. 155).

#### BOOKS AND MATERIALS

SEC. 202. The Secretary is authorized to provide for interchanges between the United States and other countries of books and periodicals, including government publications, for the translation of such writings, and for the preparation, distribution, and interchange of other educational materials.

#### INSTITUTIONS

SEC. 203. The Secretary is authorized to provide for assistance to schools, libraries, and community centers abroad, founded or sponsored by citizens of the United States, and serving as demonstration centers for methods and practices employed in the United States. In assisting any such schools, however, the Secretary shall exercise no control over their educational policies and shall in no case furnish assistance of any character which is not in keeping with the free democratic principles and the established foreign policy of the United States.

#### TITLE III—ASSIGNMENT OF SPECIALISTS

##### PERSONS TO BE ASSIGNED

SEC. 301. The Secretary is authorized, when the government of another country is desirous of obtaining the services of a person having special scientific or other technical or professional qualifications, from time to time to assign or authorize the assignment for service, to or in cooperation with such government, any citizen of the United States in the employ or service of the Government of the United States who has such qualifications, with the approval of the Government agency in which such person is employed or serving. No person shall be assigned for service to or in cooperation with the government of any country unless (1) the Secretary finds that such assignment is necessary



in the national interest of the United States, or (2) such government agrees to reimburse the United States in an amount equal to the compensation, travel expenses, and allowances payable to such person during the period of such assignment in accordance with the provisions of section 302, or (3) such government shall have made an advance of funds, property, or services as provided in section 902. Nothing in this Act, however, shall authorize the assignment of such personnel for service relating to the organization, training, operation, development, or combat equipment of the armed forces of a foreign government.

#### STATUS AND ALLOWANCES

SEC. 302. Any citizen of the United States, while assigned for service to or in cooperation with another government under the authority of this Act, shall be considered, for the purpose of preserving his rights, allowances, and privileges as such, an officer or employee of the Government of the United States and of the Government agency from which assigned and he shall continue to receive compensation from that agency. He may also receive, under such regulations as the President may prescribe, representation allowances similar to those allowed under section 901 (3) of the Foreign Service Act of 1946 (60 Stat. 999). The authorization of such allowances and other benefits and the payment thereof out of any appropriations available therefor shall be considered as meeting all the requirements of section 1765 of the Revised Statutes.

#### ACCEPTANCE OF OFFICE UNDER ANOTHER GOVERNMENT

SEC. 303. Any citizen of the United States while assigned for service to or in co-

operation with another government under authority of this Act may, at the discretion of his Government agency, with the concurrence of the Secretary, and without additional compensation therefor, accept an office under the government to which he is assigned, if the acceptance of such an office in the opinion of such agency is necessary to permit the effective performance of duties for which he is assigned, including the making or approving on behalf of such foreign government the disbursement of funds provided by such government or of receiving from such foreign government funds for deposit and disbursement on behalf of such government, in carrying out programs undertaken pursuant to this Act: *Provided, however,* That such acceptance of office shall in no case involve the taking of an oath of allegiance to another government.

#### TITLE IV—PARTICIPATION BY GOVERNMENT AGENCIES

##### GENERAL AUTHORITY

SEC. 401. The Secretary is authorized, in carrying on any activity under the authority of this Act, to utilize, with the approval of the President, the services, facilities, and personnel of the other Government agencies. Whenever the Secretary shall use the services, facilities, or personnel of any Government agency for activities under authority of this Act, the Secretary shall pay for such performance out of funds available to the Secretary under this Act, either in advance, by reimbursement, or direct transfer. The Secretary shall include in each report submitted to the Congress under section 1008 a statement of the services, facilities, and personnel of other Government agencies utilized in carrying on activities under the authority of this Act, showing the

names and salaries of the personnel utilized, or performing service, utilized, during the period covered by such report, and the amounts paid to such other agencies under this section as payment for such performance.

#### TECHNICAL AND OTHER SERVICES

SEC. 402. A Government agency, at the request of the Secretary, may perform such technical or other services as such agency may be competent to render for the government of another country desirous of obtaining such services, upon terms and conditions which are satisfactory to the Secretary and to the head of the Government agency, when it is determined by the Secretary that such services will contribute to the purposes of this Act. However, nothing in this Act shall authorize the performance of services relating to the organization, training, operation, development, or combat equipment of the armed forces of a foreign government.

#### POLICY GOVERNING SERVICES

SEC. 403. In authorizing the performance of technical and other services under this title, it is the sense of the Congress (1) that the Secretary shall encourage through any appropriate Government agency the performance of such services to foreign governments by qualified private American individuals and agencies, and shall not enter into the performance of such services to any foreign government where such services may be performed adequately by qualified private American individuals and agencies and such qualified individuals and agencies are available for the performance of such services; (2) that if such services are rendered by a Government agency, they shall

demonstrate the technical accomplishments of the United States, such services being of an advisory, investigative, or instructional nature, or a demonstration of a technical process; (3) that such services shall not include the construction of public works or the supervision of the construction of public works, and that, under authority of this Act, a Government agency shall render engineering services related to public works only when the Secretary shall determine that the national interest demands the rendering of such services by a Government agency, but this policy shall not be interpreted to preclude the assignment of individual specialists as advisers to other governments as provided under title III of this Act, together with such incidental assistance as may be necessary for the accomplishment of their individual assignments.

#### TITLE V—DISSEMINATING INFORMATION ABOUT THE UNITED STATES ABROAD

##### GENERAL AUTHORIZATION

SEC. 501. The Secretary is authorized, when he finds it appropriate, to provide for the preparation, and dissemination abroad, of information about the United States, its people, and its policies, through press, publications, radio, motion pictures, and other information media, and through information centers and instructors abroad. Any such press release or radio script, on request, shall be available in the English language at the Department of State, at all reasonable times following its release as information abroad, for examination by representatives of United States press associations, newspapers, magazines, radio systems, and stations, and, on request, shall be made available to Members of Congress.



POLICIES GOVERNING INFORMATION  
ACTIVITIES

SEC. 502. In authorizing international information activities under this Act, it is the sense of the Congress (1) that the Secretary shall reduce such Government information activities whenever corresponding private information dissemination is found to be adequate; (2) that nothing in this Act shall be construed to give the Department a monopoly in the production or sponsorship on the air of short-wave broadcasting programs, or a monopoly in any other medium of information.

TITLE VI—ADVISORY COMMISSIONS TO  
FORMULATE POLICIES

SEC. 601. There are hereby created two advisory commissions, (1) United States Advisory Commission on Information (hereinafter in this title referred to as the Commission on Information) and (2) United States Advisory Commission on Educational Exchange (hereinafter in this title referred to as the Commission on Educational Exchange) to be constituted as provided in section 602. The Commissions shall formulate and recommend to the Secretary policies and programs for the carrying out of this Act: *Provided, however,* That the commissions created by this section shall have no authority over the Board of Foreign Scholarships or the program created by Public Law 584 of the Seventy-ninth Congress, enacted August 1, 1946, or the United States National Commission for UNESCO.

MEMBERSHIP OF THE COMMISSION; GEN-  
ERAL PROVISIONS

SEC. 602 (a) Each Commission shall consist of five members, not more than three of whom shall be from any one political

party. Members shall be appointed by the President, by and with the advice and consent of the Senate. No person holding any compensated Federal or State office shall be eligible for appointment.

(b) The members of the Commission on Information shall represent the public interest, and shall be selected from a cross section of professional, business, and public service backgrounds.

(c) The members of the Commission on Educational Exchange shall represent the public interest and shall be selected from a cross section of educational, cultural, scientific, technical, and public service backgrounds.

(d) The term of each member appointed under subsection (a) of this section shall be three years, except that the terms of office of such members first taking office on each Commission shall expire, as designated by the President at the time of appointment, two at the end of one year, two at the end of two years, and one at the end of three years from the date of the enactment of this Act. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor is appointed shall be appointed for the remainder of such term. Upon the expiration of his term of office any member may continue to serve until his successor is appointed and has qualified.

(e) The President shall designate a chairman for each Commission from among members of the Commission.

(f) The members of the Commissions shall receive no compensation for their services as such members but shall be entitled to reimbursement for travel and subsistence in connection with attendance of meetings of the Commissions away from their



places of residences, as provided in subsection (6) of section 801 of this Act.

(g) The Commissions are authorized to adopt such rules and regulations as they may deem necessary to carry out the authority conferred upon them by this title.

(h) The Department is authorized to provide the necessary secretarial and clerical assistance for the Commissions.

#### RECOMMENDATIONS AND REPORTS

SEC. 603. The Commissions shall meet not less frequently than once each month during the first six months after their estab-

lishment, and thereafter at such intervals as the Commissions find advisable, and shall transmit to the Secretary a quarterly report, and to the Congress a semiannual report of all programs and activities carried on under the authority of this Act, including appraisals, where feasible, as to the effectiveness of the several programs, and such recommendations as shall have been made by the Commissions to the Secretary for effectuating the purposes and objectives of this Act and the action taken to carry out such recommendations.

. . . . .

## EXPANDED PROGRAM OF INFORMATION AND EDUCATION<sup>1</sup>

WHEREAS the struggle now raging between freedom and communism is a contest for the minds and loyalties of men; and

WHEREAS in such a struggle force and the threat of force do not change men's minds or win their loyalties; and

WHEREAS the real methods of Communist aggression are incessant and skillful propaganda designed to prepare the way for political infiltration, for sabotage, and for the consolidation of power by suppression and terror; and

WHEREAS these tactics have poisoned and continue to poison the minds of hundreds of millions throughout the world; and

WHEREAS we have learned that such Communist methods cannot be beaten back by arms and dollars alone but require world-

wide offensive in behalf of the ideas which express our democratic principles and aspirations: Therefore be it

*Resolved*, That the United States should initiate and vigorously prosecute a greatly expanded program of information and education among all the peoples of the world to the full extent that they can be reached—with a view to closing the mental gulf that separates the United States from other peoples and that now blockades the universal hope for freedom and peace; be it further

*Resolved*, That it is the sense of the Senate that any such program should encompass, among other things—

(1) maintenance, through the United Nations and through our own diplomacy, of a steady and steadily increasing pressure in behalf of world-wide freedom of information;

<sup>1</sup> S. Res. 243, Mar. 22, 1950 (81st Cong., 2d sess.).

(2) acceleration of the work of the United Nations Educational, Scientific and Cultural Organization to the point where, with effective leadership, it has a chance to make a significant, perhaps decisive, contribution to peace;

(3) development of the activities of the Offices of International Information and Educational Exchange in the Department of State, in the following ways among many others—

(a) preparation and execution of a comprehensive world-wide program to exhibit documentary and educational motion pictures designed to explain the democratic principles and ideals which underlie our foreign policy;

(b) significant and immediate expansion of our program for bringing foreign students to the United States;

(c) creation of a world broadcasting network capable of broadcasting on long wave, short wave, or medium wave, with an ultimate goal of reaching virtually every radio set in the world;

(d) use of any and all possible means to

reach people who are shut off from the free world by censorship and suppression;

(4) promotion of democratic education abroad, notably in the occupied areas of Germany and Japan;

(5) convening of a conference of non-Communist nations now conducting international information programs, with a view to reaching a better understanding on common themes and on greatly increasing the effectiveness of the projection of such themes;

(6) encouragement of the establishment of a nongovernmental agency to help inspire and guide the efforts of the millions of private American citizens who might use their talents and resources and contacts overseas in furtherance of the programs and objectives of this resolution, and be it further

*Resolved*, That it is the sense of the Senate that the international propagation of the democratic creed be made an instrument of supreme national policy—by the development of a Marshall plan in the field of ideas.

## *Essentials of Peace: Resolution Adopted by the General Assembly, December 1, 1949*

### *The General Assembly*

1. *Declares* that the Charter of the United Nations, the most solemn pact of peace in history, lays down basic principles necessary for an enduring peace; that disregard of these principles is primarily re-

sponsible for the continuance of international tension; and that it is urgently necessary for all Members to act in accordance with these principles in the spirit of co-operation on which the United Nations was founded;

*Calls upon every nation*

2. *To refrain* from threatening or using force contrary to the Charter;

3. *To refrain* from any threats or acts, direct or indirect, aimed at impairing the freedom, independence or integrity of any State, or at fomenting civil strife and subverting the will of the people in any State;

4. *To carry out* in good faith its international agreements;

5. *To afford* all United Nations bodies full co-operation and free access in the performance of the tasks assigned to them under the Charter;

6. *To promote*, in recognition of the paramount importance of preserving the dignity and worth of the human person, full freedom for the peaceful expression of political opposition, full opportunity for the exercise of religious freedom and full respect for all the other fundamental rights expressed in the Universal Declaration of Human Rights;

7. *To promote* nationally and through international co-operation, efforts to achieve and sustain higher standards of living for all peoples;

8. *To remove* the barriers which deny to

peoples the free exchange of information and ideas essential to international understanding and peace;

*Calls upon every Member*

9. *To participate* fully in all the work of the United Nations;

*Calls upon the five permanent members of the Security Council*

10. *To broaden* progressively their co-operation and to exercise restraint in the use of the veto in order to make the Security Council a more effective instrument for maintaining peace;

*Calls upon every nation*

11. *To settle* international disputes by peaceful means and to co-operate in supporting United Nations efforts to resolve outstanding problems;

12. *To co-operate* to attain the effective international regulation of conventional armaments; and

13. *To agree* to the exercise of national sovereignty jointly with other nations to the extent necessary to attain international control of atomic energy which would make effective the prohibition of atomic weapons and assure the use of atomic energy for peaceful purposes only.

## *Uniting-for-Peace Program: Resolution Adopted by the General Assembly, November 3, 1950*

### **Resolution A**

The General Assembly,

RECOGNIZING that the first two stated Purposes of the United Nations are:

“To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the



suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

“To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;”

REAFFIRMING that it remains to the primary duty of all Members of the United Nations, when involved in an international dispute, to seek settlement of such a dispute by peaceful means through the procedures laid down in Chapter VI of the Charter, and recalling the successful achievements of the United Nations in this regard on a number of previous occasions,

FINDING that international tension exists on a dangerous scale.

RECALLING its resolution 290 (IV) entitled “Essentials of peace,” which states that disregard of the Principles of the Charter of the United Nations is primarily responsible for the continuance of international tension, and desiring to contribute further to the objectives of that resolution.

REAFFIRMING the importance of the exercise by the Security Council of its primary responsibility for the maintenance of international peace and security, and the duty of the permanent members to seek unanimity and to exercise restraint in the use of the veto,

REAFFIRMING that the initiative in negotiating the agreements for armed forces provided for in Article 43 of the Charter belongs to the Security Council, and desiring to ensure that, pending the conclusion of

such agreements, the United Nations has at its disposal means for maintaining international peace and security,

CONSCIOUS that failure of the Security Council to discharge its responsibilities on behalf of all the Member States, particularly those responsibilities referred to in the two preceding paragraphs, does not relieve Member States of their obligations or the United Nations of its responsibility under the Charter to maintain international peace and security,

RECOGNIZING in particular that such failure does not deprive the General Assembly of its rights or relieve it of its responsibilities under the Charter in regard to the maintenance of international peace and security,

RECOGNIZING that discharge by the General Assembly of its responsibilities in these respects calls for possibilities of observation which would ascertain the facts and expose aggressors; for the existence of armed forces which could be used collectively; and for the possibility of timely recommendation by the General Assembly to Members of the United Nations for collective action which, to be effective, should be prompt,

A.

1. *Resolves* that if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international

peace and security. If not in session at the time, the General Assembly may meet in emergency special session within twenty-four hours of the request therefor. Such emergency special session shall be called if requested by the Security Council on the vote of any seven members, or by a majority of the Members of the United Nations,

2. *Adopts* for this purpose the amendments to its rules of procedure set forth in the annex to the present resolution;

B.

3. *Establishes* a Peace Observation Commission for which the calendar years 1951 and 1952, shall be composed of fourteen Members, namely: China, Colombia, Czechoslovakia, France, India, Iraq, Israel, New Zealand, Pakistan, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay, and which could observe and report on the situation in any area where there exists international tension the continuance of which is likely to endanger the maintenance of international peace and security. Upon the invitation or with the consent of the State into whose territory the Commission would go, the General Assembly, or the Interim Committee when the Assembly is not in session, may utilize the Commission if the Security Council is not exercising the functions assigned to it by the Charter with respect to the matter in question. Decisions to utilize the Commission shall be made on the affirmative vote of two-thirds of the members present and voting. The Security Council may also utilize the Commission in accordance with its authority under the Charter;

4. *The Commission shall have* authority

in its discretion to appoint subcommissions and to utilize the services of observers to assist it in the performance of its functions;

5. *Recommends* to all governments and authorities that they co-operate with the Commission and assist it in the performance of its functions;

6. *Requests* the Secretary-General to provide the necessary staff and facilities, utilizing, where directed by the Commission, the United Nations Panel of Field Observers envisaged in General Assembly resolution 297 B (IV);

C.

7. *Invites* each Member of the United Nations to survey its resources in order to determine the nature and scope of the assistance it may be in a position to render in support of any recommendations of the Security Council or of the General Assembly for the restoration of international peace and security;

8. *Recommends* to the States Members of the United Nations that each Member maintain within its national armed forces elements so trained, organized and equipped that they could promptly be made available, in accordance with its constitutional processes, for service as a United Nations unit or units, upon recommendation by the Security Council or General Assembly, without prejudice to the use of such elements in exercise of the right of individual or collective self-defence recognized in Article 51 of the Charter;

9. *Invites* the Members of the United Nations to inform the Collective Measures Committee provided for in paragraph 11 as soon as possible of the measures taken in implementation of the preceding paragraph;



10. *Requests* the Secretary-General to appoint, with the approval of the Committee provided for in paragraph 11, a panel of military experts who could be made available, on request, to Member States wishing to obtain technical advice regarding the organization, training, and equipment for prompt service as United Nations units of the elements referred to in paragraph 8;

D.

11. *Establishes* a Collective Measures Committee consisting of fourteen Members, namely: Australia, Belgium, Brazil, Burma, Canada, Egypt, France, Mexico, Philippines, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Venezuela and Yugoslavia, and directs the Committee, in consultation with the Secretary-General and with such Member States as the Committee finds appropriate, to study and make a report to the Security Council and the General Assembly, not later than 1 September 1951, on methods, including those in Section C of the present resolution, which might be used to maintain and strengthen international peace and security in accordance with the Purposes and Principles of the Charter, taking account of collective self-defence and regional arrangements (Articles 51 and 52 of the Charter);

12. *Recommends* to all Member States that they co-operate with the Committee and assist it in the performance of its functions;

13. *Requests* the Secretary-General to furnish the staff and facilities necessary for the effective accomplishment of the purposes set forth in sections C and D of the present resolution;

E.

14. The General Assembly, in adopting the proposals set forth above, is fully conscious that enduring peace will not be secured solely by collective security arrangements against breaches of international peace and acts of aggression, but that a genuine and lasting peace depends also upon the observance of all the Principles and Purposes established in the Charter of the United Nations, upon the implementation of the resolutions of the Security Council, the General Assembly and other principal organs of the United Nations intended to achieve the maintenance of international peace and security, and especially upon respect for and observance of human rights and fundamental freedoms for all and on the establishment and maintenance of conditions of economic and social well-being in all countries; and accordingly

15. *Urges* Member States to respectfully, and to intensify, joint action, in co-operation with the United Nations, to develop and stimulate universal respect for and observance of human rights and fundamental freedoms, and to intensify individual and collective efforts to achieve conditions of economic stability and social progress, particularly through the development of underdeveloped countries and areas.

ANNEX

The rules of procedure of the General Assembly are amended in the following respects:

1. The present text of rule 8 shall become paragraph (a) of that rule, and a new paragraph (b) shall be added to read as follows:

“Emergency special sessions pursuant to resolution — (V) shall be convened within twenty-four hours of the receipt by the Sec-



retary-General of a request for such a session from the Security Council, on the vote of any seven members thereof, or of a request from a majority of the Members of the United Nations expressed by vote in the Interim Committee or otherwise, or of the concurrence of a majority of Members as provided in rule 9.”

2. The present text of rule 9 shall become paragraph (a) of that rule and a new paragraph (b) shall be added to read as follows:

“This rule shall apply also to a request by any Member for an emergency special session pursuant to resolution — (V). In such a case the Secretary-General shall communicate with other Members by the most expeditious means of communication available.”

3. Rule 10 is amended by adding at the end thereof the following:

“In the case of an emergency special session convened pursuant to rule 8 (b), the Secretary-General shall notify the Members of the United Nations at least twelve hours in advance of the opening of the session.”

4. Rule 16 is amended by adding at the end thereof the following:

“The provisional agenda of an emergency special session shall be communicated to the Members of the United Nations simultaneously with the communication summoning the session.”

5. Rule 19 is amended by adding at the end thereof the following:

“During an emergency special session additional items concerning the matters dealt with in resolution — (V) may be added to the agenda by a two-thirds majority of the Members present and voting.”

6. There is added a new rule to precede rule 65 to read as follows:

“Notwithstanding the provisions of any other rule and unless the General Assembly decides otherwise, the Assembly in case of an emergency special session, shall convene in plenary session only and proceed directly to consider the item proposed for consideration in the request for the holding of the session, without previous reference to the General Committee or to any other Committee; the President and Vice-Presidents for such emergency special sessions shall be, respectively, the Chairman of those delegations from which were elected the President and Vice-Presidents of the previous session.”

## Resolution B

For the purpose of maintaining international peace and security, in accordance with the Charter of the United Nations, and, in particular, with Chapters V, VI and VII of the Charter,

The General Assembly

*Recommends* to the Security Council:

That it should take the necessary steps to ensure that the action provided for under the Charter is taken with respect to threats to the peace, breaches of the peace or acts of aggression and with respect to the peaceful settlement of disputes or situations likely to endanger the maintenance of international peace and security;

That it should devise measures for the earliest application of Articles 43, 45, 46 and 47 of the Charter of the United Nations regarding the placing of armed forces at the disposal of the Security Council by the States Members of the United Nations and the effective functioning of the Military Staff Committee.

The above dispositions should in no manner prevent the General Assembly from fulfilling its functions under resolution — (V).

## Resolution C

The General Assembly,

RECOGNIZING that the primary function of the United Nations Organization is to maintain and promote peace, security and justice among all nations.

RECOGNIZING the responsibility of all Member States to promote the cause of international peace in accordance with their obligations as provided in the Charter,

RECOGNIZING that the Charter charges the Security Council with the primary responsibility for maintaining international peace and security,

REAFFIRMING the importance of unanimity among the permanent members of the Security Council on all problems which are likely to threaten world peace,

RECALLING General Assembly resolution

190 (III) entitled "Appeal to the Great Powers to renew their efforts to compose their differences and establish a lasting peace,"

*Recommends* to the permanent members of the Security Council that:


(a) They meet and discuss, collectively or otherwise, and, if necessary, with other States concerned, all problems which are likely to threaten international peace and hamper the activities of the United Nations, with a view to their resolving fundamental differences and reaching agreement in accordance with the spirit and letter of the Charter;

(b) They advise the General Assembly and, when it is not in session, the Members of the United Nations, as soon as appropriate, of the results of their consultations.





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